



PLAN COMMISSION MEETING AGENDA

**TUESDAY, February 23, 2016
 AT 6:00 PM**

- 1) ROLL CALL
- 2) Minutes of the February 9, 2016 meeting
- 3) Significant Common Council Actions – NONE
- 4) NEW BUSINESS
 - a) EXCHANGE OF CITY-OWNED LAND – Review and make a recommendation on the exchange of a portion of the City-owned property at 7600 S. 6th St. with portions of the property at 600 W. Drexel Ave. (Tax Key Nos. 782-9996-002 & 782-9000). Follow this item on Twitter [@OakCreekPC#OCPCSale](#).
 - b) REZONE/CONDITIONAL USE PERMIT AMENDMENT – Review a request submitted by the City of Oak Creek and Drexel Partners, LLC to rezone a portion of the property located at 7600 S. 6th St. to B-2, Community Business (CU), and to amend the legal description in the existing Conditional Use Permit for 600 W. Drexel Ave. to include the rezoned property at 7600 S. 6th St. (Tax Key Nos. 782-9996-002 & 782-9000). Follow this item on Twitter [@OakCreekPC#OCPCCityRezone](#).
 - c) CERTIFIED SURVEY MAP – Review a certified survey map submitted by the City of Oak Creek and Drexel Partners, LLC for the property at 600 W. Ave. and a portion of the property at 7600 S. 6th St. (Tax Key Nos. 782-9000 & 782-9996-002). Follow this item on Twitter [@OakCreekPC#OCPCCityDrexelCSM](#).
 - d) **POSTPONED** CONDITIONAL USE PERMIT AMENDMENT - Review a request submitted by Classic Lanes for an amendment to Section 5 of the existing conditional use permit to allow volleyball courts to be located 0 feet from the rear (west) property line at 7501 S. Howell Ave. (Tax Key No. 782-9036). Follow this item on Twitter [@OakCreekPC#OCPCClassicLanes](#).
 - e) ZONING TEXT AMENDMENT - Review proposed amendments to Section 17.0808, Outdoor Lighting, of the Zoning Ordinance to include LED lighting and to add requirements for architectural element lighting under Approval Procedures. Follow this item on Twitter [@OakCreekPC#OCPCTextAmend](#).
 - f) REZONE – Review a request submitted by The City of Oak Creek to rezone the following County properties (EXCLUDING C-1, Shoreland Wetland Conservancy; FW, Floodway; and FF, Flood Fringe Districts) to P-1, Park District:

Address	Tax Key	Current Zoning
725 E. Oak St.	733-9999-000	M-1, Manufacturing
709 E. Oak St.	733-0017-000	M-1, Manufacturing
7312 S. 27 th St.	762-9008-000	P-1, Park District; FW, Floodway; Rs-1, Single Family Residential
8245 S. 20 th St.	810-9014-000	A-1, Limited Ag.; FW, Floodway; FF, Flood Fringe
2305 W. Drexel Ave.	810-9017-000	Rs-2, Single Family Residential; FF, Flood Fringe
7951 S. 20 th St.	810-9016-000	C-1, Shoreland Wetland Conservancy; FW, Floodway; Rs-2, Single Family Residential; FF, Flood Fringe

2319 W. Drexel Ave.	810-9020-000	Rs-2, Single Family Residential
2361 W. Drexel Ave.	810-9022-000	Rs-2, Single Family Residential
8067 S. 20 th St.	810-9024-000	Rs-2, Single Family Residential
2211 W. Drexel Ave.	810-9992-001	Rs-2, Single Family Residential; FW, Floodway; FF, Flood Fringe
8210 S. 20 th St.	811-9018-002	Rs-2, Single Family Residential; FW, Floodway; FF, Flood Fringe
8290 S. 20 th St.	811-9018-003	Rs-2, Single Family Residential
1741 W. Drexel Ave.	811-9024-000	A-1, Limited Ag.; FW, Floodway; FF, Flood Fringe
1901 W. Drexel Ave.	811-9991-002	A-1, Limited Ag.; FW, Floodway; FF, Flood Fringe
8310 S. 20 th St.	830-9021-000	Rs-2, Single Family Residential
8351 S. 20 th St.	831-9033-000	Rm-1 (PUD/CU), Multifamily Residential; Rs-2, Single Family Residential

Follow this item on Twitter **@OakCreekPC#CountyParks**.

5) ADJOURN

PLEASE NOTE

Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible, preferably a minimum of 48 hours. For additional information or to request this service, contact the Oak Creek City Clerk at 766-7000, by writing to the ADA Coordinator at the Health Department, City Hall, 8040 South 6th Street, Oak Creek, Wisconsin 53154. There is the potential that a quorum of the Committee of the Whole will be present at this meeting. Copies of staff reports and other supporting documentation are available for review at Oak Creek City Hall, 8040 South 6th Street during operating hours. (7:30 am-4 pm weekdays).

MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, February 9, 2016

Mayor Scaffidi called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Carrillo, Alderman Guzikowski, Commissioner Correll, Commissioner Siefert, Commissioner Chandler and Alderman Bukiewicz. Commissioner Johnson and Commissioner Dickmann were excused. Also present: Kari Papelbon, Planner.

Commissioner Siefert moved to approve the January 26, 2016 meeting minutes. Commissioner Guzikowski seconded. On roll call: Commissioner Correll abstained, all other Commissioners voted aye.

Sign/Building Plan Review
Steve Ignarski, Prairie Sign and Lighting, LLC,
for MattressFirm
320 W. Town Square Way
Tax Key No. 813-9048

Mayor Scaffidi referred to Kari Papelbon for her confirmation that the applicant has answered all Commission questions and concerns, and have come back with a proposal that the Commission will be satisfied with. Ms. Papelbon agreed this has been met including the swoosh element that was discussed. Proposed signs are smaller than the PetSmart signs, and no sign on the north elevation is proposed. The signs meet the requirements.

The applicant could not attend this meeting and was excused by Mayor Scaffidi.

Commissioner Chandler asked if one of the sign pillars had been removed or eliminated. Ms. Papelbon clarified that the change was in the initial proposal on the north elevation. This is no longer being proposed, and there is no change to the building itself.

Commissioner Correll moved that the Plan Commission approves the Sign Plan Review submitted by Steve Ignarski, Prairie Sign & Lighting, on behalf of MattressFirm for the property at 320 West Town Square Way with the following conditions:

1. That one (1) wall sign on the west elevation (maximum height of primary sign = 40 inches) and one (1) wall sign on the east elevation (maximum height of primary sign = 37.8 inches) in the locations shown on the plans approved April 28, 2015 are approved.
2. That one (1) internally-illuminated secondary monument sign (6'0" x 6'0") on the south portion of the property as shown on the plans approved April 28, 2015 with panels for both tenants is approved.
3. That a permit application for all signs is submitted to the Inspection Department.

Alderman Bukiewicz seconded. Roll call: all voted aye. Motion carried.

Plan Review
Blair Williams, Wired Properties
7979 S. Main St.
Tax Key No. 813-9053

Ms. Papelbon explained the proposed building materials for the proposed canopy structures, wall, and planter boxes, which include wood slats and beams, translucent polycarbonate roof panels, and steel tube columns and outriggers. Polycarbonate panels are not specifically listed in the approved General Development Plan for Drexel Town Square; however, "other creatively used high quality and durable building materials" that enrich the pedestrian experience are encouraged. A three-quarter majority approval by the Plan Commission is required for the use of the polycarbonate material, and staff recommends full approval of that use.

Ms. Papelbon stated that there have been changes to the original approved plans. Landscaping has been reduced to allow an expansion of the outdoor dining area and the pocket park. A revised detailed plan will be required showing the modifications. Pedestrian access was relocated and will cut through the dining area. Staff has expressed concerns for the pedestrian access in this location - if restricted by a podium, gate, or some other obstruction, this will cause confusion. Staff has proposed a condition that the access path remains open and unobstructed at all times.

The lighting plan proposed for the outdoor seating area includes recessed downlighting and clear (not colored) string lights. There will also be recessed downlighting on the underside of the large canopy structure. Staff recommends that the exterior lighting be reduced or turned off during non-business hours.

One parking lot island that is directly across from the outdoor seating area has been changed to pavers. If the paver area is approved by the Plan Commission, staff recommends that they incorporate a bicycle parking area to complement the existing bike and pedestrian infrastructure in Drexel Town Square.

Commissioner Chandler asked the applicant if he could provide more information about the pedestrian access and bike path.

Blair Williams, 2237 Lake Dr., President of Wired Properties, explained that the expectation will be that the pedestrian access points from the parking lot to 6th St. remain unencumbered. It is intended to be a public access point to get to the urban grid. Our expectation is that it will remain free and unencumbered from a gate or any condition. The path will bisect the two seating areas.

Alderman Bukiewicz commented that he has no problem with the polycarbonate materials being used, and that he likes the idea of adding the bike racks.

Mr. Williams clarified that the pedestrian walk has been pushed back so it will be under a covered canopy. There should be no gate, and the path between the dining areas is estimated to be 8-10 feet versus a traditional 5-foot sidewalk. This will divide the dining into two sections and clearly establishes a route for the public to identify.

Ms. Papelbon brought to the Commission's attention that BelAir's Water Street location also has an outdoor seating area that is bisected by a pedestrian path leading to an apartment building. The only concern is that this area stays unencumbered to avoid pedestrians being confused on whether they can pass through this area, and to avoid any congestion it may cause by placing a podium or staff there. Mr. Williams shared that there will be three different ways to enter the restaurant, and has assured that the public has ready means to access the building.

Commission Siefert questioned some of the landscaping plans, to which Mr. Williams stated that they will be submitting a full landscaping plan to the Commission as needed with all the details. These details may include space in the pocket park for games and additional ways to keep the area active around the square. Details are still in the works and will be presented for approval.

Alderman Guzikowski commented that this building will be a complement to the location and a good mix to be put at the Square. He also agreed with the building material proposal listed.

Alderman Bukiewicz questioned the pitch on the roof and what they're doing for rain runoff. Steve Morales, Rinka-Chung Architecture, 756 N. Milwaukee St., Milwaukee, explained that there are gutters on the facility, and water will shed to the sides and run to the back, which will then hit the storm sewers.

Commissioner Chandler asked for information on the landscaping change, which Mr. Williams addressed as turning passive landscaping into activation of space that can be used by the public.

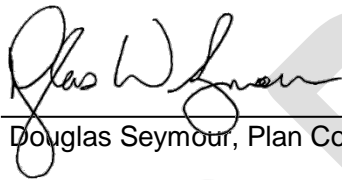
Alderman Bukiewicz moved that the Plan Commission approves the site and building plans submitted by Blair Williams, Wired Properties, for modifications to a portion of the building and exterior dining area at 7979 S. Main St., with the following conditions:

1. That the pedestrian access path between the public sidewalk and parking lot remain open and unobstructed at all times.
2. That the proposed paver area immediately across from the outdoor dining area incorporates bicycle parking.
3. That lighting in the exterior dining area and pocket park be reduced or turned off during non-business hours.
4. That all revised plans (site, building, landscaping, etc.) are submitted in digital and paper formats for review and approval by the Department of Community Development prior to the submission of building permit applications.
5. That all mechanical equipment (ground, building, and rooftop) is screened from view.
6. That all building and fire codes are met.
7. That updated detailed lighting plans are submitted for review and approval by the Department of Community Development, upon recommendation of the Electrical Inspector, prior to the issuance of building permits.
8. That detailed plans for signage are reviewed and approved by the Plan Commission.

Alderman Guzikowki seconded. Roll call: All voted aye. Motion carried.

Commissioner Carrillo moved to adjourn. Commissioner Siepert seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 6:23 p.m.

ATTEST:



Douglas Seymour, Plan Commission Secretary

2-16-16

Date



Plan Commission Report

ITEM: 4a
DATE: February 23, 2016

PROJECT: Exchange of City-Owned Land

ADDRESS: 7600 S. 6th St. (portion) & 600 W. Drexel Ave. (portions)

TAX KEY NO: 782-9996-002 & 782-9000

STAFF RECOMMENDATION: That the Plan Commission recommends to the Common Council that they favorably consider the exchange of a portion of the City-owned land at 7600 S. 6th St. with portions of 600 W. Drexel Ave.

Ownership: City of Oak Creek & Langteau Real Estate, LLC

Size: 9,454 square feet (to be added to 600 W. Drexel Ave.) & 29,577 square feet (before exchange)

Existing Zoning: M-1, Manufacturing; FW, Floodway; FF, Flood Fringe & B-2 (CU), Community Business

Adjacent Zoning: North – M-1, Manufacturing; FF, Flood Fringe
East – M-1, Manufacturing; FW, Floodway; FF, Flood Fringe. C-1, Shoreland Wetland Conservancy District
South – B-2 (CU), Community Business; DTSMUPDD, Drexel Town Square Mixed Use Planned Development District
West – M-1, Manufacturing; FW, Floodway; FF, Flood Fringe

Comprehensive Plan: Resource Protection Area & Planned Industrial.

Wetlands: N/A.

Floodplain: Yes, see map.

Official Map: N/A.

Commentary: The request before the Plan Commission is the consideration of an exchange of a portion of the City-owned property at 7600 S. 6th St. with 600 W. Drexel Ave.

Immediately east of the City-owned land is the location of a proposed two-tenant building (600 W. Drexel Ave.). During the preparation of site plans for the building, the developer (Drexel Partners, LLC) learned from the City that additional right-of-way would be obtained along S. 6th St. and W. Drexel Ave. for the benefit of future road improvements. This necessitated the reconfiguration of the lot, and the City offered to pursue an exchange of a portion of the adjacent land for the right-of-way so that the project could proceed.

As shown on the attached exhibit, the City-owned land contains floodway and flood fringe on the northerly portions. Due to its unique shape and the presence of floodway, the lot could not support compliant private development if sold to a non-adjacent landowner. None of the floodplain areas will be affected by the proposed exchange, if approved. The additional land acquired by Drexel Partners, LLC, would be used to ensure compliance with building and parking setbacks for the proposed building, as well as safe access from/to Drexel Ave.

The exchange of a portion of this property would further the objectives of the City by allowing for the redevelopment of an underused corner lot, adding to the local tax base and creating additional jobs. The

proposed use was previously reviewed and approved by the Plan Commission and Common Council this year, and the sale would support this approved use.

Since the land in question is City-owned, the Plan Commission is required to make a recommendation on this proposal to the Common Council. The rezone of the additional land and its incorporation into the existing Conditional Use Permit are next on the agenda for the Plan Commission's review and recommendation.

Prepared by:



Kari Papelbon, CFM, AICP
Planner

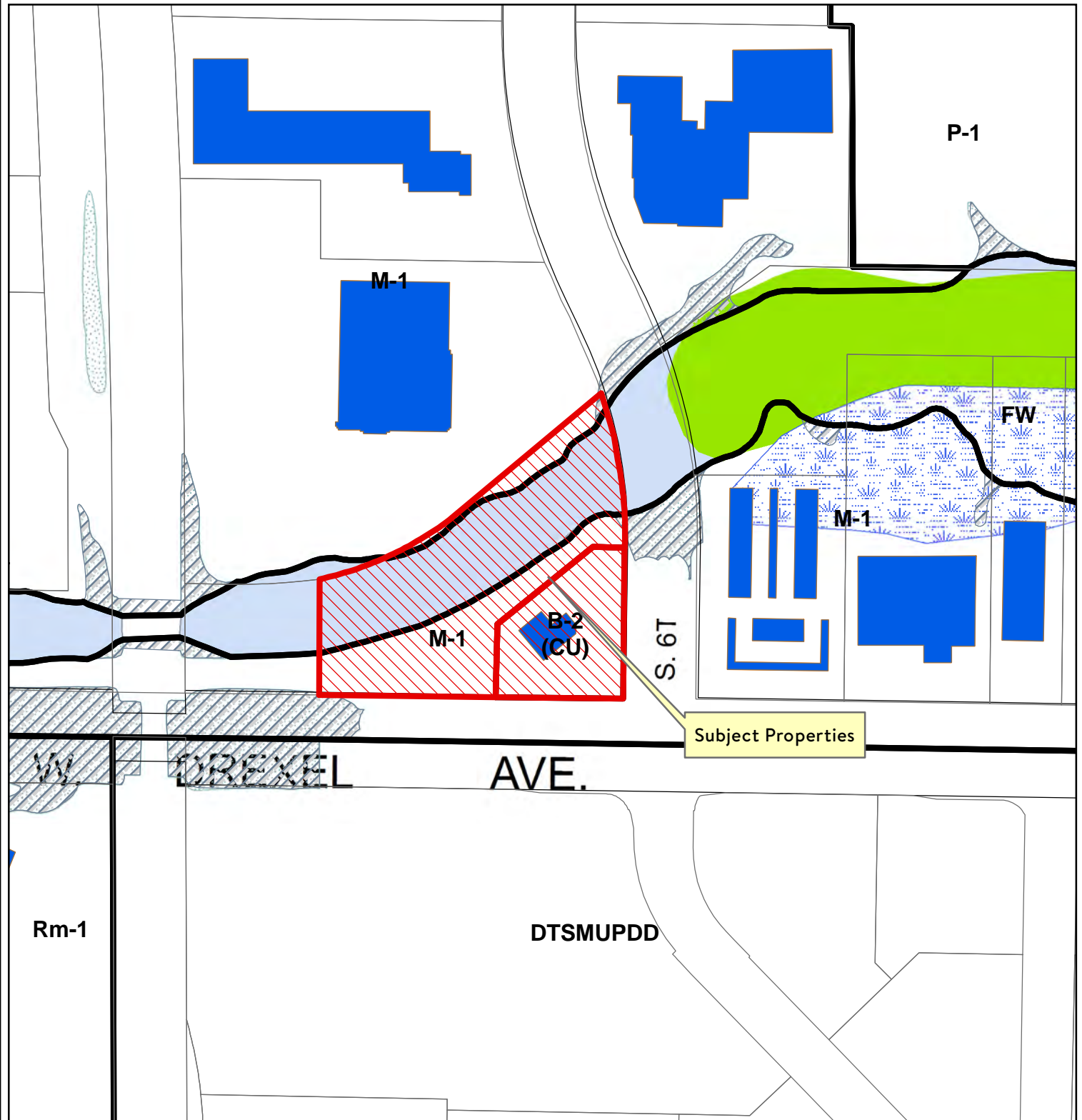
Respectfully Submitted by:



Douglas Seymour, AICP
Director of Community Development

Location Map

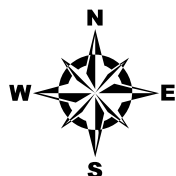
7600 S. 6th St. and 600 W. Drexel Ave.



This map is not a survey of the actual boundary of any property this map depicts.



Department of Community Development



Legend			
	7600 S. 6th & 600 W. Drexel		Flood Fringe (FF)
	Wetland		Shoreland Wetland Conservancy (C-1)
	Floodfringe		Lakefront Overlay District (LOD)
	Floodway		Mixed Use Neighborhood Overlay (NO)
			Mixed Use Office Overlay (OO)
			Regional Retail Overlay District (RR)

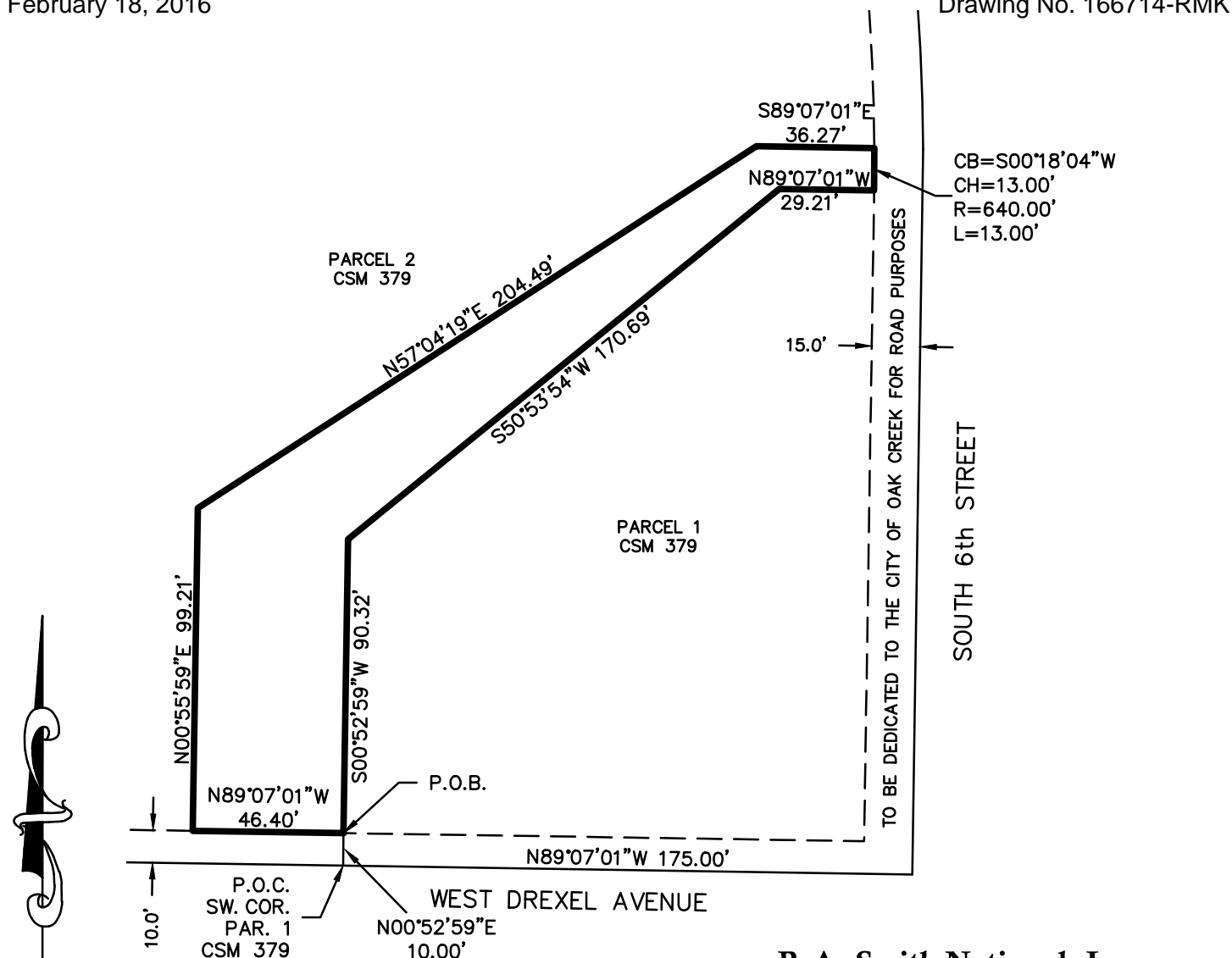
EXHIBIT

Part of Parcel 2 in Certified Survey Map No. 379, being a part of the Southwest 1/4 of the Southeast 1/4 of Section 8, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the Southwest corner of Parcel 1 in Certified Survey Map No. 379; thence North 00°52'59" East 10.00 feet to the point of beginning of lands to be described; thence North 89°07'01" West 46.40 feet to a point; thence North 00°55'59" East 99.21 feet to a point; thence North 57°04'19" East 204.49 feet to a point; thence South 89°07'01" East 36.27 feet to a point; thence Southwesterly 13.00 feet along an arc of a curve whose center lies to the West, whose radius is 640.00 feet and whose chord bears South 00°18'04" West 13.00 feet to a point; thence North 89°07'01" West 29.21 feet to a point; thence South 50°53'54" West 170.69 feet to a point; thence South 00°52'29" West 90.32 feet to the point of beginning.
Said land contains 9,454 square feet or 0.2170 acres.

February 18, 2016

Drawing No. 166714-RMK



R.A. Smith National, Inc.

*Beyond Surveying
and Engineering*

16745 W. Bluemound Road, Brookfield WI 53005
262-781-1000 Fax 262-797-7373 www.rasmithnational.com
Appleton, WI Irvine, CA Pittsburgh, PA

S:\5166714\dwg\
SX201A50.dwg\EXHIBIT



Plan Commission Report

ITEM: 4b
DATE: February 23, 2016

PROJECT: Rezone/Conditional Use Permit Amendment – City of Oak Creek & Drexel Partners, LLC

ADDRESSES: 7600 S. 6th St. & 600 W. Drexel Ave.

TAX KEY NOS: 782-9996-002 & 782-9000

STAFF RECOMMENDATION: That Plan Commission recommends to the Common Council that a portion of the property at 7600 S. 6th St. be rezoned from M-1, Manufacturing, to B-2, Community Business, and that the legal description in Section 1 of the Conditional Use Permit for 600 W. Drexel is amended to include the rezoned property, after a public hearing.

Ownership: City of Oak Creek & Langteau Real Estate, LLC

Size: 9,454 square feet (to be rezoned) & 29,577 square feet (before amendment)

Existing Zoning: M-1, Manufacturing; FW, Floodway; FF, Flood Fringe & B-2 (CU), Community Business

Adjacent Zoning:
North – M-1, Manufacturing; FF, Flood Fringe
East – M-1, Manufacturing; FW, Floodway; FF, Flood Fringe. C-1, Shoreland Wetland Conservancy District
South – B-2 (CU), Community Business; DTSMUPDD, Drexel Town Square Mixed Use Planned Development District
West – M-1, Manufacturing; FW, Floodway; FF, Flood Fringe

Comprehensive Plan: Resource Protection Area & Planned Industrial.

Wetlands: N/A.

Floodplain: Yes, see map.

Official Map: N/A.

Commentary: The City is requesting that a portion of the property at 7600 S. 6th St. be rezoned from M-1, Manufacturing to B-2, Community Business in anticipation of purchase by the future owner of the adjacent property at 600 W. Drexel Ave. (Drexel Partners, LLC). As such, the existing Conditional Use Permit must be amended to incorporate that portion of the property to be rezoned and added to 600 W. Drexel Ave. (9,454 square feet). This amendment is also part of the request before the Plan Commission this evening.

Plan Commissioners will recall that the property at 600 W. Drexel Ave. was rezoned to B-2, Community Business with a Conditional Use for a restaurant with drive-through facility in January/February of this year. At that time, staff mentioned that Drexel Partners, LLC was engaged with the City in discussions related to acquisition of a portion(s) of adjacent City-owned property. A CSM to combine the rezoned property with 600 W. Drexel Ave. will be reviewed in the next agenda item.

Prepared by:

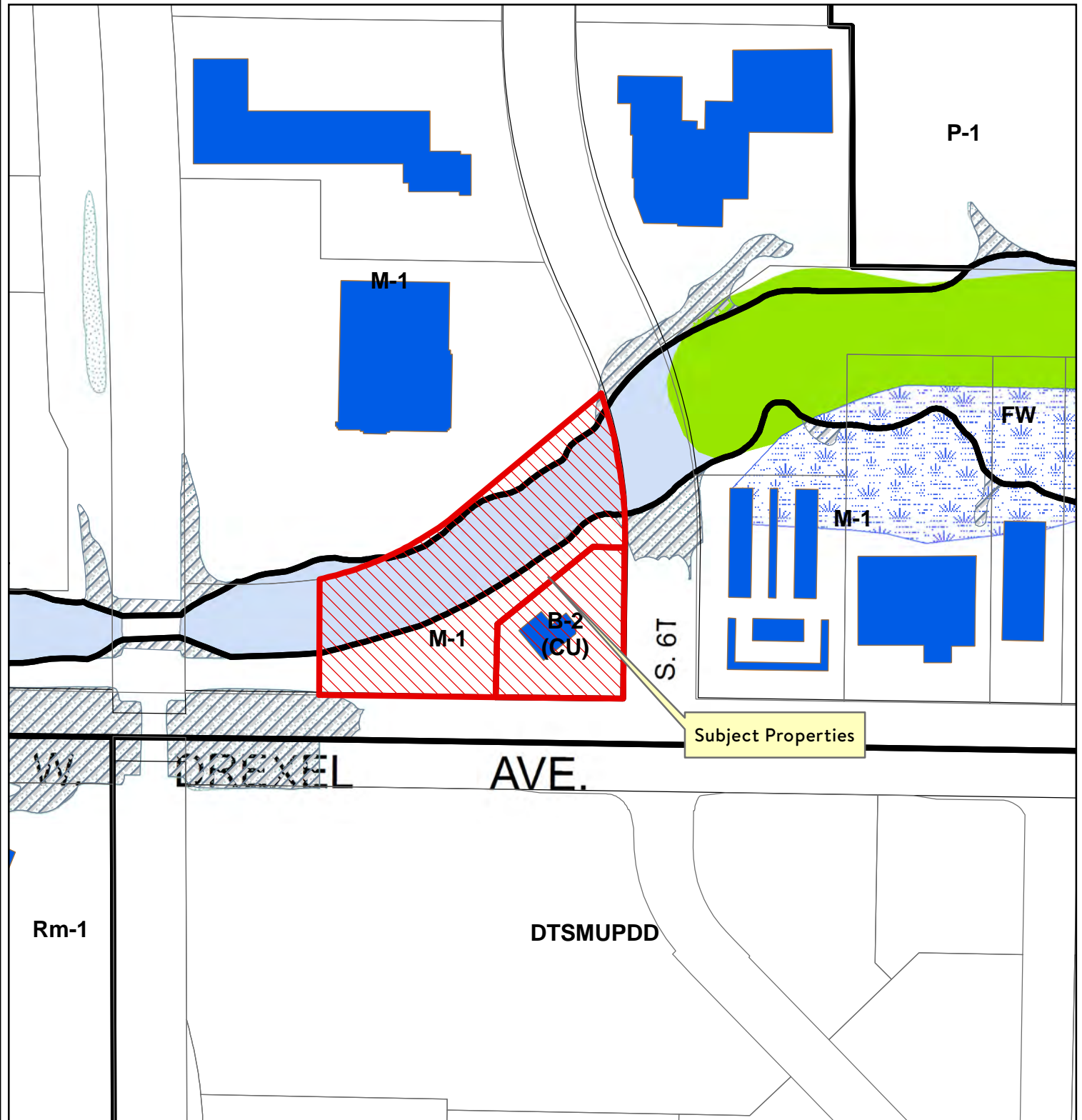
Kari Papelbon, CFM, AICP
Planner

Respectfully Submitted by:

Douglas Seymour, AICP
Director of Community Development

Location Map

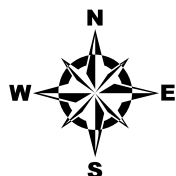
7600 S. 6th St. and 600 W. Drexel Ave.













This map is not a survey of the actual boundary of any property this map depicts.



Department of Community Development



Legend

	7600 S. 6th & 600 W. Drexel		Flood Fringe (FF)
	Wetland		Shoreland Wetland Conservancy (C-1)
	Floodfringe		Lakefront Overlay District (LOD)
	Floodway		Mixed Use Neighborhood Overlay (NO)
			Mixed Use Office Overlay (OO)
			Regional Retail Overlay District (RR)

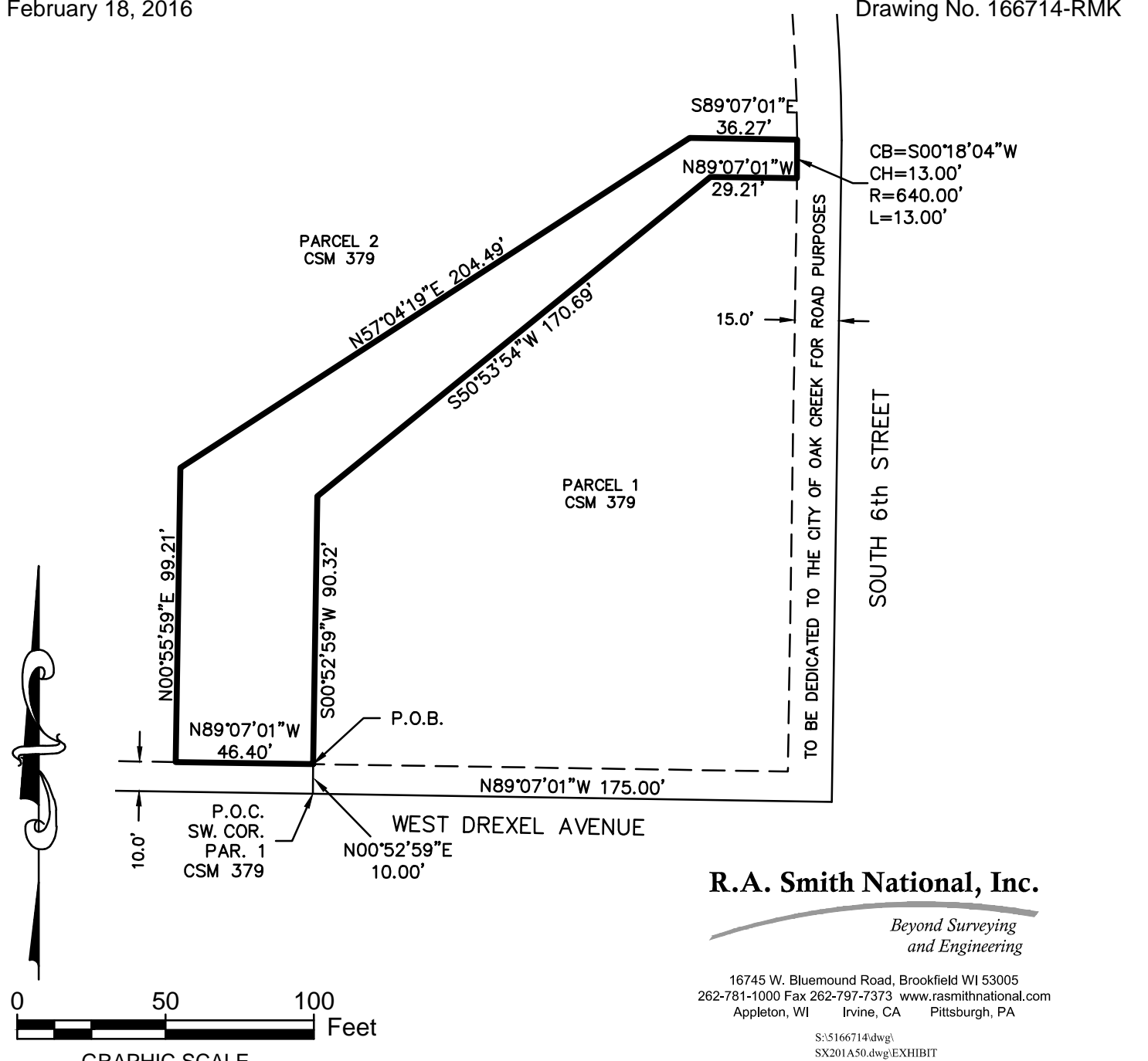
EXHIBIT

Part of Parcel 2 in Certified Survey Map No. 379, being a part of the Southwest 1/4 of the Southeast 1/4 of Section 8, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin, bounded and described as follows:

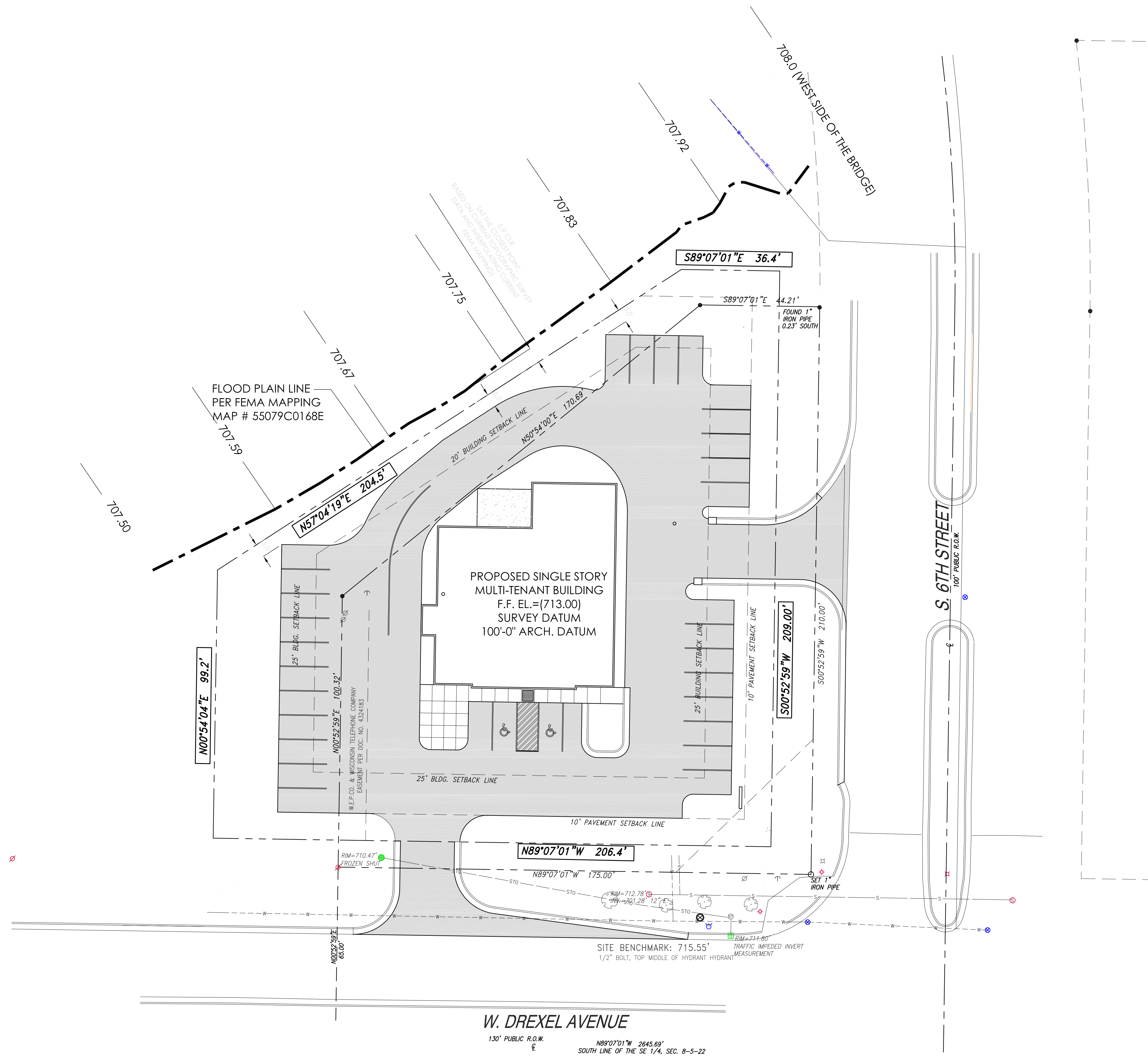
Commencing at the Southwest corner of Parcel 1 in Certified Survey Map No. 379; thence North 00°52'59" East 10.00 feet to the point of beginning of lands to be described; thence North 89°07'01" West 46.40 feet to a point; thence North 00°55'59" East 99.21 feet to a point; thence North 57°04'19" East 204.49 feet to a point; thence South 89°07'01" East 36.27 feet to a point; thence Southwesterly 13.00 feet along an arc of a curve whose center lies to the West, whose radius is 640.00 feet and whose chord bears South 00°18'04" West 13.00 feet to a point; thence North 89°07'01" West 29.21 feet to a point; thence South 50°53'54" West 170.69 feet to a point; thence South 00°52'29" West 90.32 feet to the point of beginning.
Said land contains 9,454 square feet or 0.2170 acres.

February 18, 2016

Drawing No. 166714-RMK



R.A. Smith National, Inc.



FLOOD PLAIN LINE
PER FEMA MAPPING
MAP # 55079C0168E

BASED ON SURVEY DATA AND INTERPOLATED DATA FROM FEMA MAPPING

PROPOSED SINGLE STORY
MULTI-TENANT BUILDING
F.F. EL.=(713.00)
SURVEY DATUM
100'-0" ARCH. DATUM

SITE BENCHMARK: 715.55'
1/2" BOLT, TOP MIDDLE OF HYDRANT
TRAFFIC IMPEDED INVERT
MEASUREMENT

W. DREXEL AVENUE

130' PUBLIC R.O.W.
N89°07'01"W 2645.69'
SOUTH LINE OF THE SE 1/4, SEC. 8-5-22

S. 6TH STREET
100' PUBLIC R.O.W.

708.0 (WEST SIDE OF THE BRIDGE)

25' BLDG. SETBACK LINE
N00°54'04"E 99.2'
N00°52'59"E 100.32'
W.E.P. CO. & WISCONSIN TELEPHONE COMPANY
EASEMENT PER DOC. NO. 4524183

10' PAVEMENT SETBACK LINE
S00°52'59"W 209.00'
S00°52'59"W 210.00'

N89°07'01"W 206.4'

20' BUILDING SETBACK LINE
N57°04'19"E 204.5'

S89°07'01"E 36.4'

FOUND 1" IRON PIPE
0.23' SOUTH

RIM=710.47'
FROZEN SHUT

SET 1" IRON PIPE

N00°52'59"E 68.60'

RIM=711.80'

RIM=712.78'
12"

N89°07'01"W 175.00'

707.75

707.83

707.92

707.67

707.59

707.50

170.69

44.21'

70.85'

210.00'

68.60'

711.80'

712.78'

175.00'

707.75

707.83

707.92

707.67

707.59

707.50

170.69

44.21'

70.85'

210.00'

68.60'

711.80'

712.78'

175.00'

City of Oak Creek – Conditional Use Permit
Conditions and Restrictions

Applicant: Drexel Partners
Property Address: 600 W. Drexel Ave.
Tax Key Number: 782-9000-000

Approved by Plan Commission: TBD
Approved by Common Council: TBD
(Ord. #TBD)

Conditional Use: Restaurant with drive-through facility

1. LEGAL DESCRIPTION

Parcel 1 of Certified Survey Map No. 379, in the Southwest ¼ of the Southeast ¼ of Section 8, in Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin, bounded and described as follows: Commencing at the Southwest corner of the Southeast 1/4 Section of said Section 8; thence South 89°07'01" East along the South line of said Quarter Section 245.01 feet to a point; thence North 00°52'59" East 65.00 feet to the point of beginning of lands hereinafter described; thence continue North 00°52'59" East 100.32 feet to a point; thence North 50°54'00" East 170.69 feet to a point; thence South 89°07'01" East 44.21 feet to a point on the West line of South 6th Street thence South 00°52'59" West along said West line 210.00 feet to a point on the North line of West Drexel Avenue; thence North 89°07'01" West along said North line 175.00 feet to the point of beginning.

Also,

Part of Parcel 2 in Certified Survey Map No. 379, being a part of the Southwest 1/4 of the Southeast 1/4 of Section 8, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the Southwest corner of Parcel 1 in Certified Survey Map No. 379; thence North 00°52'59" East 10.00 feet to the point of beginning of lands to be described; thence North 89°07'01" West 46.40 feet to a point; thence North 00°55'59" East 99.21 feet to a point; thence North 57°04'19" East 204.49 feet to a point; thence South 89°07'01" East 36.27 feet to a point; thence Southwesterly 13.00 feet along an arc of a curve whose center lies to the West, whose radius is 640.00 feet and whose chord bears South 00°18'04" West 13.00 feet to a point; thence North 89°07'01" West 29.21 feet to a point; thence South 50°53'54" West 170.69 feet to a point; thence South 00°52'29" West 90.32 feet to the point of beginning.

Said land contains 9,454 square feet or 0.2170 acres.

2. REQUIRED PLANS, EASEMENTS, AGREEMENTS, AND PUBLIC IMPROVEMENTS

A. A precise detailed site plan for the area affected by the conditional use shall be submitted to, and approved by, the Plan Commission prior to the issuance of any building or occupancy permits. This plan shall show and describe the following:

1) General Development Plan

- a) Detailed building location(s) with setbacks
- b) Square footage of building(s)
- a) Area(s) for future expansion

2) Landscape Plan

- a) Screening plan for outdoor storage
- b) Number, initial size & type of plantings
- c) Parking lot screening/berming

- d) Area(s) to be paved
- e) Access drive(s) (width & location)
- f) Sidewalk location(s)
- g) Parking layout & traffic circulation
 - i) Location
 - ii) Number of employees
 - iii) Number of spaces
 - iv) Dimensions
 - v) Setbacks
- h) Location of loading berth(s)
- i) Location of sanitary sewer (existing & proposed)
- j) Location of water (existing & proposed)
- k) Location of storm sewer (existing & proposed) including detention/retention basins (if needed)
- l) Precise location of outdoor storage
- m) Location of wetlands (field verified)
- n) Location, square footage, & height of signs
- o) Description of vehicles, materials & equipment to be stored at the site

3) Building Plan

- a) Architectural elevations
- b) Building floor plans
- c) Materials of construction

4) Lighting Plan

- a) Types of fixtures
- b) Mounting heights
- c) Type of poles
- d) Photometrics of proposed fixtures

5) Grading, Drainage, & Stormwater Management Plan

- a) Contours (existing & proposed)
- b) Location of storm sewer (existing & proposed)
- c) Location of stormwater management structures & basins (if required)

6) Fire Protection

- a) Location of existing & proposed fire hydrants (public & private)
- b) Interior floor plan
- c) Materials of construction

- B. All plans for new buildings, additions, or exterior remodeling shall be submitted to the Plan Commission for their review and approval prior to the issuance of a building permit.
- C. For any new buildings or structures and additions, site grading and drainage, stormwater management and erosion control plans shall be submitted to the City Engineer for approval, if required. The City Engineer's approval must be received prior to the issuance of any building permits.
- D. Plans and specifications for any necessary public improvements within developed areas (e.g. sanitary sewer, water main, storm sewer, etc.) shall be subject to approval by the City Engineer.
- E. If required by the City of Oak Creek, public easements for telephone, electric power, sanitary sewer, storm sewer and water main shall be granted. Said easements shall be maintained free and clear of any buildings, structures, trees or accessory outdoor appurtenances. Shrubbery type plantings shall be permitted; provided there is access to each of the aforementioned systems and their appurtenances.
- F. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.

- G. For each stage of development, detailed landscaping plans showing location, types and initial plant sizes of all evergreens, deciduous trees and shrubs, and other landscape features such as statuary, art forms, water fountains, retaining walls, etc., shall be submitted to the Plan Commission for approval prior to the issuance of a building permit.

3. PARKING AND ACCESS

- A. A minimum of 32 parking stalls shall be provided for the site. All other parking and access requirements for this project shall be provided in accordance with Section 17.0403 of the Municipal Code.
- B. Where 90° parking is indicated on the site plans, individual-parking stalls shall be nine (9) feet in width by eighteen (18) feet in length. The standards for other types of angle parking shall be those as set forth in Section 17.0403(d) of the Municipal Code.
- C. Movement aisles for 90° parking shall be at least twenty-two (22) feet in width.
- D. All off-street parking areas shall be surfaced with an all-weather wearing surface of plant mix asphaltic concrete over crushed stone base subject to approval by the City Engineer. A proposal to use other materials shall be submitted to the Plan Commission and the Engineering Department for approval. All parking areas and private drives, within a phase, shall be in place prior to the issuance of an occupancy permit for any building in that phase.
- E. Other parking arrangements, showing traffic circulation and dimensions, shall be submitted to the Plan Commission for approval.
- F. All driveway approaches to this property shall be in compliance with all the standards set forth in Chapter 6 of the Oak Creek Municipal Code. Any off-site improvements shall be the responsibility of the property owner.
- G. All off-street parking areas shall be landscaped in accordance with Sections 17.0330, 17.0403, and 17.1010 of the Municipal Code.

4. LIGHTING

All plans for new outdoor lighting shall be reviewed and approved by the Electrical Inspector in accordance with Section 17.0808 of the Municipal Code.

5. LANDSCAPING

- A. Parking Lot Screening. Those parking areas for five (5) or more vehicles if adjoining a residential zoning district line or public right-of-way shall be screened from casual view by an earth berm, a solid wall, fence, evergreen planting of equivalent visual density or

other effective means approved by the City Plan Commission. Such fence or berm and landscaping together shall be an average of three (3) feet in height between the parking and the street right-of-way. All screening materials shall be placed and maintained at a minimum height of three (3) feet.

1. At least one ornamental deciduous tree, no less than 2.5" caliper, shall be incorporated into the design for every 35 linear feet of public street frontage.
2. At least 25% of the total green space area shall be landscaped utilizing plant materials, other than maintained turf, that contribute to ground coverage.
3. For purposes of determining the number of plants necessary to meet the minimum 25% ground coverage requirement, plant types are categorized by their general size and potential mature at-grade coverage area.

<u>Plant Type</u>	<u>Area of Coverage Provided</u>
Evergreen Tree (>8' Dia.)	75 sq. ft.
Large Shrub (6-8' Dia.)	38 sq. ft.
Medium Shrub (4-6' Dia.)	20 sq. ft.
Small Shrub (2-4' Dia.)	12 sq. ft.
Perennial (4.5" Pot)	6 sq. ft.

* Note: shade and ornamental trees are not considered a plant type contributing to "at-grade" coverage.

4. To assure a diversity of color, texture and year-round interest, the total number of plant materials must be comprised of a minimum 25% evergreens, but no more than 70%.
- B. Interior Landscape Area. All public off-street parking lots which serve five (5) vehicles or more shall be provided with accessory landscaped areas; which may be landscape islands, landscape peninsulas or peripheral plantings totaling not less than five (5) percent of the surfaced area. Landscape islands or peninsulas shall be dispersed throughout the off-street parking area. Landscape islands shall provide a minimum 30-inch clear area for vehicle overhang and snow storage. One shade tree shall be provided within the interior planting area for every 300 square feet of interior landscaping.
- C. Perimeter Landscape Area. In an effort to prevent adjacent parking lots from becoming one large expanse of paving, perimeter landscaping shall be required. The perimeter strip shall be a minimum 5 feet in width. A minimum of one tree and five shrubs is

required for every 35 linear feet of the perimeter of the parking area and located within the perimeter landscape area.

- D. Landscaping Adjacent to Buildings. There shall be a minimum three-foot landscaped area provided between the edge of pavement and the entrance elevation of the building.
- E. Screening of Trash. Trash receptacles shall not be located within the front or street yard, and shall be screened from casual view by means of screening that is compatible with the main building/structure and landscaping.
- F. Screening of Ground Mounted Mechanical Equipment. Ground mounted mechanical equipment shall not be located within the front or street yard, and shall be screened from casual view by means of screening that is compatible with the main building/structure and landscaping.
- G. Screening of Roof Mounted Mechanical Equipment - Roof mounted mechanical equipment shall be screened from casual view.
- H. Screening of utility meters. New utility meters shall be screened with a mix of plantings and a screening fence or wall, which shall be approved by the Community Development Department prior to the issuance of building permits. Said screening shall be installed prior to final occupancy.
- I. Retaining Walls. No retaining wall shall exceed four (4) feet in height unless it has been designed and its construction supervised by a Professional Engineer. A retaining wall may be stepped to achieve greater height. Each step of the wall shall be no more than four (4) feet in height and shall be set back a minimum of three (3) feet from the previous step. Acceptable materials for retaining walls are: segmental masonry type, timber, railroad ties, or concrete. If the retaining wall is constructed of concrete, landscaping must accompany the design of the retaining wall.
- J. Berms. Side slopes of berms shall not exceed a gradient of 1-ft. vertical to 3-ft. horizontal unless approved by the City Engineer.
- K. Buffer Yards. Appropriate buffers shall be provided between dissimilar uses as set forth in Section 17.0205(d) of the Municipal Code.
- L. Submittal Requirements. A Landscape Plan (to scale) must be submitted which includes details of all proposed landscaping, buffering and screening, including the estimated cost of the landscaping. These plans shall be prepared by a landscape professional and show the location and dimensions of all existing and proposed structures, parking, drives, right-of-ways and any other permanent features, and all

other information required by the Plan Commission, including but not limited to the following:

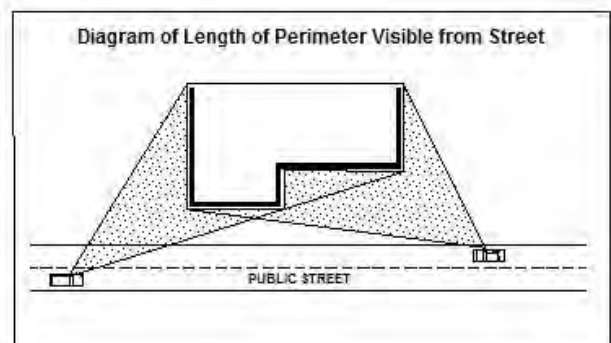
1. A plant list and coverage chart showing the location, quantity, size (at time of planting and at maturity), spacing and the scientific and common names of all landscape materials used.
2. The location and type of existing trees over four (4) inches in diameter (measured six (6) inches above the ground) within the area to be developed.
3. The location and percent of slope of all proposed berms using one (1) foot contours.
4. Detailed sections showing elevations of all proposed architectural features, such as walls, lighting or water features.
5. Methods used in staking, mulching, wrapping or any other early tree care used.
6. The Plan Commission shall impose time schedules for the completion of buildings, parking areas, open space utilization, and landscaping. The Plan Commission may require appropriate sureties to guarantee that improvements will be completed on schedule.

M. The Plan Commission may modify any of the standards in Section 5 above by a $\frac{3}{4}$ majority vote of those Commissioners present at a meeting, but only if supplemental design elements or improvements are incorporated into the project which compensate for the modification of the particular standard.

6. ARCHITECTURAL STANDARDS

A. No building shall be permitted if the design or exterior appearance is of such unorthodox or abnormal character in relation to its surroundings as to be unsightly or offensive to generally accepted taste and community standards.

B. No building shall be permitted where any exposed façade is not constructed or faced with a finished material which is aesthetically compatible with the other façades of surrounding properties and presents an attractive appearance to the public. Predominant exterior building materials must be of high quality. These include, but are not limited to, brick, stone, and tinted/textured concrete masonry units (CMUs). Smooth-faced concrete block, EIFS products (such as Dryvit),



or pre-fabricated steel panels are not permitted as primary exterior building materials (Section 17.1009(a)(2)).

- C. The facade of a manufacturing, commercial, office, institutional, or park building shall be finished with an aesthetically pleasing material. A minimum of seventy-five (75) percent of the visible perimeter (see diagram) shall be finished with glass, brick or decorative masonry material (Section 17.1009(a)(2)(ii)).
- D. Material and color samples shall be submitted to the Plan Commission for review and approval (Section 17.1009(a)(2)(iii)).
- E. The Plan Commission has the discretion to adjust the 75% minimum requirement in Section 6(C) above for building additions (Section 17.1009(a)(2)(iv)).
- F. The relative proportion of a building to its neighboring buildings or to other existing buildings shall be maintained or enhanced when new buildings are built or when existing buildings are remodeled or altered.
- G. Each principal building shall have a clearly defined, highly visible customer entrance with features such as canopies or porticos, arcades, arches, wing walls, and integral planters.
- H. Sides of a building that are visible from adjoining residential properties and/or public streets should contribute to the pleasing scale features of the building by featuring characteristics similar to the front façade of the building.
- I. Dumpsters and other trash receptacles shall be fenced and/or screened from view from street rights-of-way and adjacent residential uses.
- J. The Plan Commission shall impose time schedules for the completion of buildings, parking areas, open space utilization, and landscaping. The Plan Commission may require appropriate sureties to guarantee that improvements will be completed on schedule; as well as the approved protection of the identified wetlands and woodlands on the approved plan.
- K. The Plan Commission may modify any of the standards in Section 6 above by a $\frac{3}{4}$ majority vote of those Commissioners present at a meeting, but only if supplemental design elements or improvements are incorporated into the project which compensate for the modifications of the particular standard (Section 17.1009(e)).

7. BUILDING AND PARKING SETBACKS

	**Front and Street Setback	Rear Setback	Side Setback
Principal Structure	25'	25'	20'
Accessory Structure*	25'	5'	5'
Off-street Parking	10'	0'	0'

* No accessory structures shall be permitted in the front yard.

**Note: the lot at 600 W. Drexel Ave. is a corner lot. See Section 17.0605.

8. MAINTENANCE AND OPERATION

- A. The number, size, location and screening of appropriate solid waste collection units shall be subject to approval of the Plan Commission as part of the required site plan. Solid waste collection and recycling shall be the responsibility of the owner.
- B. Removal of snow from off-street parking areas, walks and access drives shall be the responsibility of the owners.
- C. Fire department connections on the building shall not be blocked with any fencing, signage, or landscaping.

9. SIGNS

All signs shall conform to the provisions of Sec. 17.0706 of the Municipal Code.

10. PERMITTED USES

- A. All permitted uses in the B-4, Highway Business zoning district.
- B. One (1) restaurant with drive-through (as part of a multi-tenant building).
- C. Usual and customary accessory uses to the above listed permitted uses.

11. TIME OF COMPLIANCE

The operator of the conditional use shall commence operations in accordance with these conditions and restrictions for the conditional use within twelve (12) months from the date of adoption of the ordinance authorizing the issuance of a conditional use permit. This conditional use approval shall expire within twelve (12) months after the date of adoption of the ordinance if a building permit has not been issued for this use. The applicant shall re-apply for a conditional use approval, prior to recommencing work or construction.

12. OTHER REGULATIONS

Compliance with all other applicable City, State, DNR and Federal regulations, laws, ordinances, and orders not heretofore stated or referenced, is mandatory.

13. VIOLATIONS & PENALTIES

Any violations of the terms of this conditional use permit shall be subject to enforcement and the issuance of citations in accordance with Section 1.20 of the City of Oak Creek Code of Ordinances. If the owner, applicant or operator of the conditional use permit is convicted of two or more violations of these conditions and restrictions or any other municipal ordinances within any 12 month period the city shall have the right to revoke this conditional use permit, subject to the provisions of paragraph 14 herein. Nothing herein shall preclude the City from commencing an action in Milwaukee County Circuit Court to enforce the terms of this conditional use permit or to seek an injunction regarding any violation of this conditional use permit or any other city ordinances.

14. REVOCACTION

Should an applicant, his heirs, successors or assigns, fail to comply with the conditions and restrictions of the approval issued by the Common Council, the Conditional Use approval may be revoked. The process for revoking an approval shall generally follow the procedures for approving a Conditional Use as set forth in Section 17.1007 of the Municipal Code.

15. ACKNOWLEDGEMENT

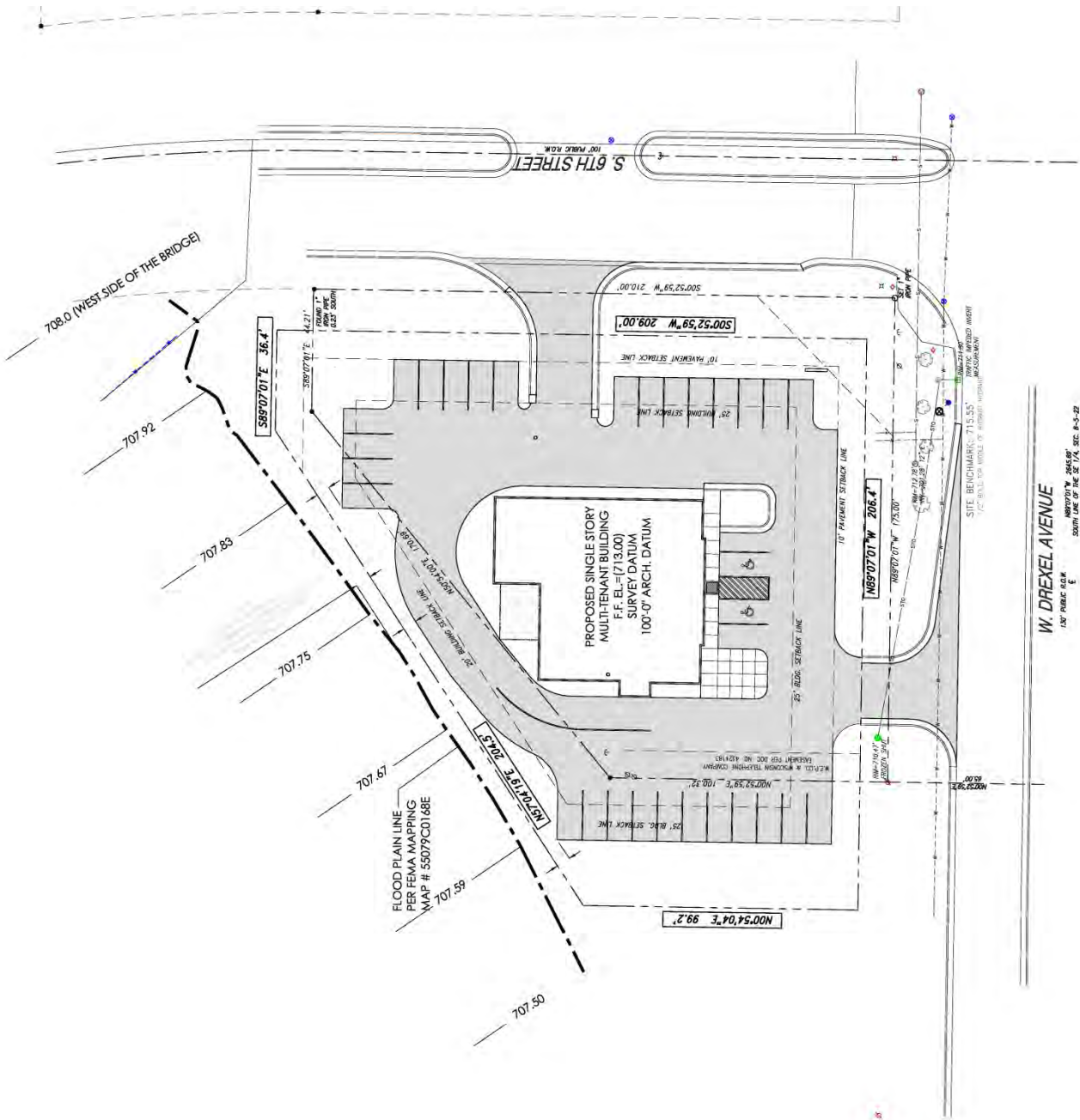
The approval and execution of these conditions and restrictions shall confirm acceptance of the terms and conditions hereof by the owner, and these conditions and restrictions shall run with the property unless revoked by the City, or terminated by mutual agreement of the City and the owner, and their subsidiaries, related entities, successors and assigns.

Owner's authorized representative

Date

(please print name)

**SITE PLAN
(REVISED FEBRUARY 17, 2016)**





Plan Commission Report

ITEM: 4c
DATE: February 23, 2016

PROJECT: Certified Survey Map – City of Oak Creek & Drexel Partners, LLC

ADDRESSES: 7600 S. 6th St. & 600 W. Drexel Ave.

TAX KEY NOs: 782-9996-002 & 782-9000

STAFF RECOMMENDATION: That Plan Commission recommends to the Common Council that the Certified Survey Map for the properties at 7600 S. 6th St. and 600 W. Drexel Ave. be approved with the following condition:

That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

Ownership: City of Oak Creek & Langteau Real Estate, LLC

Size: 1.8169 acres (Outlot 1 before exchange) & 0.6790 acres (Lot 1 before exchange)

Existing Zoning: M-1, Manufacturing; FW, Floodway; FF, Flood Fringe & B-2 (CU), Community Business

Adjacent Zoning: North – M-1, Manufacturing; FF, Flood Fringe
East – M-1, Manufacturing; FW, Floodway; FF, Flood Fringe. C-1, Shoreland Wetland Conservancy District
South – B-2 (CU), Community Business; DTSMUPDD, Drexel Town Square Mixed Use Planned Development District
West – M-1, Manufacturing; FW, Floodway; FF, Flood Fringe

Comprehensive Plan: Resource Protection Area & Planned Industrial.

Wetlands: N/A.

Floodplain: Yes, see map.

Official Map: N/A.

Commentary: This request for a CSM is related to Items 4a & 4b on this evening’s agenda. The proposed CSM shows the exchange of land between the two properties for public right-of-way purposes (15 feet width on S. 6th Street and 10 feet width on W. Drexel Ave.), and to ensure compliance with building and parking setbacks for the proposed building at 600 W. Drexel Ave. Following the exchange, 7600 S. 6th St. (Outlot 1) will be 1.5999 acres and 600 W. Drexel Ave. (Lot 1) will be 0.7870 acres. No portion of the floodway is included in or affected by the exchange.

Prepared by:

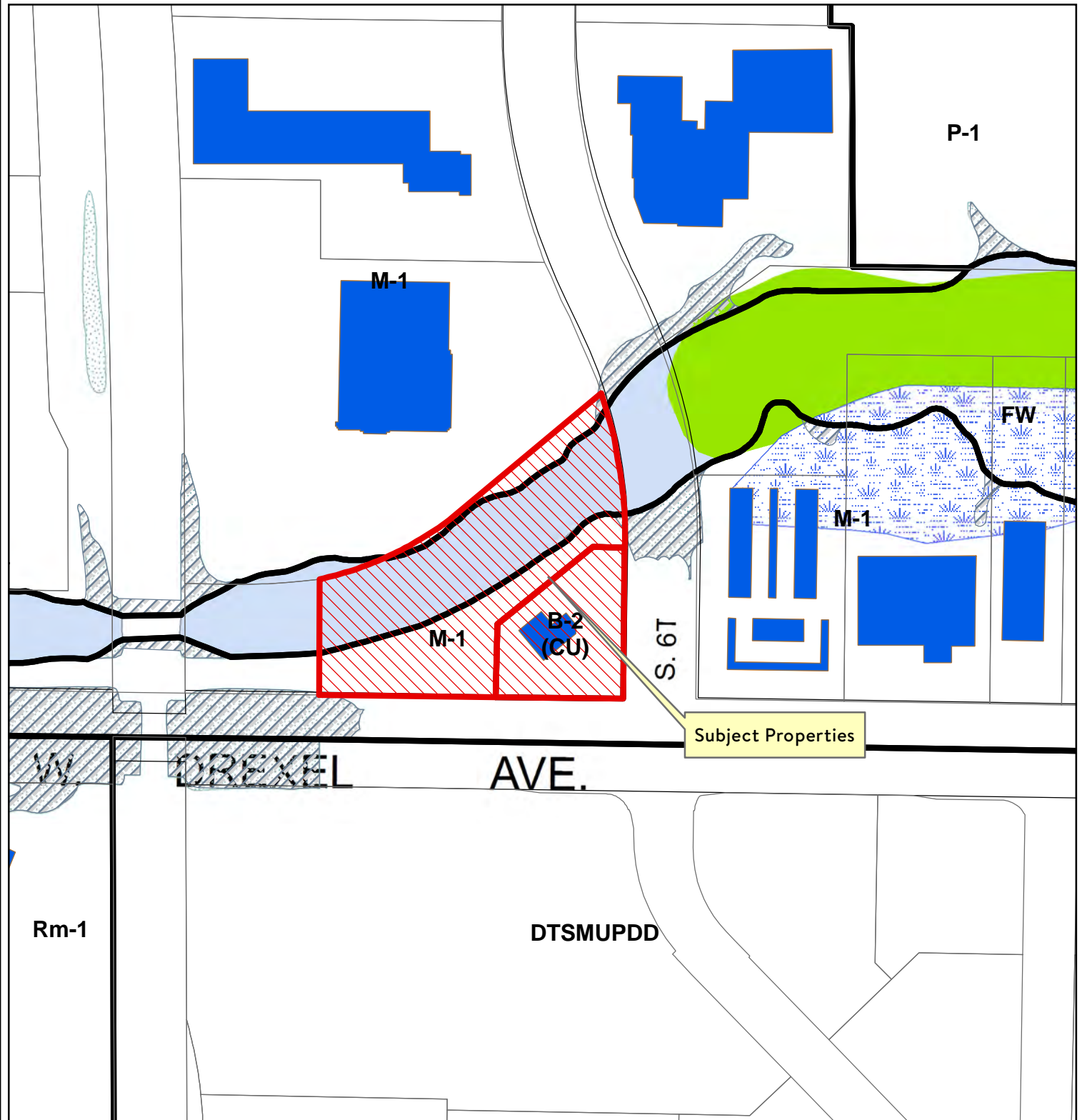
Kari Papelbon, CFM, AICP
Planner

Respectfully Submitted by:

Douglas Seymour, AICP
Director of Community Development

Location Map

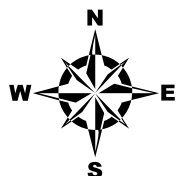
7600 S. 6th St. and 600 W. Drexel Ave.



This map is not a survey of the actual boundary of any property this map depicts.



Department of Community Development



Legend

	7600 S. 6th & 600 W. Drexel		Flood Fringe (FF)
	Wetland		Shoreland Wetland Conservancy (C-1)
	Floodfringe		Lakefront Overlay District (LOD)
	Floodway		Mixed Use Neighborhood Overlay (NO)
			Mixed Use Office Overlay (OO)
			Regional Retail Overlay District (RR)

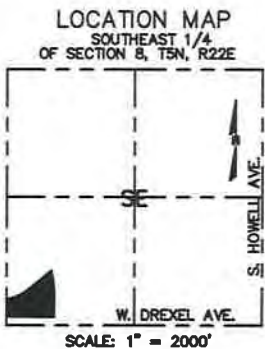
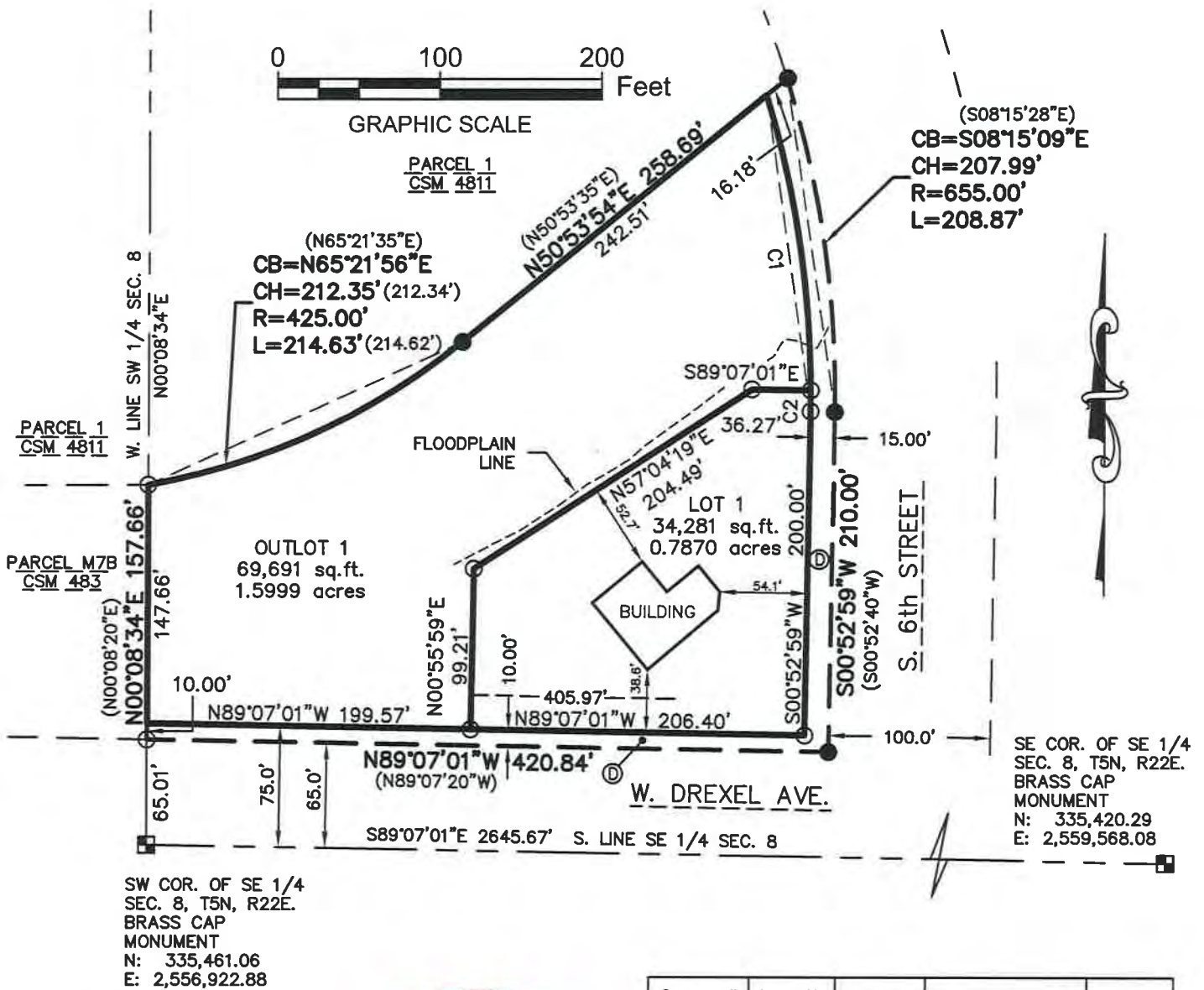
CERTIFIED SURVEY MAP NO. _____

A division of Parcels 1 and 2 in Certified Survey Map No. 379, being a part of the Southwest 1/4 of the Southeast 1/4 of Section 8, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

- INDICATES 1" IRON PIPE (FOUND), UNLESS NOTED
- INDICATES SET 1.315" O.D. IRON PIPE AT LEAST 18" IN LENGTH, 1.68 LBS. PER LINEAL FOOT.
- Ⓧ - DEDICATED TO THE CITY OF OAK CREEK FOR PUBLIC STREET PURPOSES

ALL DIMENSIONS SHOWN ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.
 ALL BEARINGS ARE REFERENCED TO THE S. LINE OF THE SE 1/4 OF SECTION 8, T 5 N, R 22 E, WHICH BEARS S89°07'01"E. WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.

Floodplain elevation of 707.79 provided by the City of Oak Creek. Topography utilized for determining Floodplain provided by Chaput Land Surveys, Project No. 2135 (January 19, 2016).



Curve #	Length	Radius	Chord Bearing	Chord
C1	185.11	640.00	S8°34'00"E	184.46
C2	13.00	640.00	S0°18'04"W	13.00

R.A. Smith National, Inc.

*Beyond Surveying
 and Engineering*

16745 W. Bluemound Road, Brookfield WI 53005
 262-781-1000 Fax 262-797-7373 www.rasmithnational.com
 Appleton, WI Irvine, CA Pittsburgh, PA

S:\S166714\dwg
 CS10\LL100.dwg\SHEET 1

SHEET 1 OF 5 SHEETS

CERTIFIED SURVEY MAP NO. _____

A division of Parcels 1 and 2 in Certified Survey Map No. 379, being a part of the Southwest 1/4 of the Southeast 1/4 of Section 8, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN }
 :SS
WAUKESHA COUNTY }

I, JOHN P. CASUCCI, Professional Land Surveyor, do hereby certify:

THAT I have surveyed, divided and mapped a division of Parcels 1 and 2 in Certified Survey Map No. 379, being a part of the Southwest 1/4 of the Southeast 1/4 of Section 8, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

Said land contains 114,234 square feet or 2.6225 acres.

THAT I have made the survey, land division and map by the direction of CITY OF OAK CREEK and LANGTEAU REAL ESTATE, LLC, owners.

THAT the map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

THAT I have fully complied with Chapter 236 of the Wisconsin Statutes and Chapter 14 of the City of Oak Creek Municipal Code in surveying, dividing and mapping the same.

DATE

_____(SEAL)
JOHN P. CASUCCI
PROFESSIONAL LAND SURVEYOR S-2055

CERTIFIED SURVEY MAP NO. _____

A division of Parcels 1 and 2 in Certified Survey Map No. 379, being a part of the Southwest 1/4 of the Southeast 1/4 of Section 8, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

OWNER'S CERTIFICATE

As owners, LANGTEAU REAL ESTATE, LLC, a limited liability company, hereby certify that we have caused the land described on this map, to be surveyed, divided, dedicated and mapped as represented on this Certified Survey Map in accordance with the requirements of Chapter 236 of the Wisconsin Statutes and Chapter 14 of the City of Oak Creek Municipal Code

LANGTEAU REAL ESTATE, LLC, as owners, does further certify that this map is required by S.236.10 or 236.12 to be submitted to the following for approval or objection: City of Oak Creek

LANGTEAU REAL ESTATE, LLC

STATE OF WISCONSIN }
 }SS
MILWAUKEE COUNTY }

PERSONALLY came before me this _____ day of _____, 2016, the above named _____, of LANGTEAU REAL ESTATE, LLC, to me known to be the person who executed the foregoing instrument.

_____(SEAL)
Notary Public, State of Wisconsin

My commission expires _____

CERTIFIED SURVEY MAP NO. _____

A division of Parcels 1 and 2 in Certified Survey Map No. 379, being a part of the Southwest 1/4 of the Southeast 1/4 of Section 8, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

CONSENT OF CORPORATE MORTGAGEE

_____, a national banking association, mortgagee of that portion of the above-described land identified in this Certified Survey Map, does hereby consent to the surveying, dividing, dedicating and mapping of the land described in the foregoing affidavit of John P. Casucci, Surveyor, and does hereby consent to the certificate of said owner.

In witness whereof, the said _____, has caused these presents to be signed by _____, its _____, and by _____, its _____, at _____, _____, and _____, its corporate seal to be hereunto affixed.
 (name) (title)

this ___ day of _____, 2016.

STATE OF _____ }
 :SS
 COUNTY OF _____ }

PERSONALLY came before me this _____ day of _____, 2016,
 _____ and _____ of the
 (name) (title) (name) (title)

above named organization, to me known as the person(s) who executed the foregoing instrument, and to me known to be the _____ and the _____ of the organization, and acknowledged that they executed the foregoing instrument as such officer(s) as the deed of the organization, by its authority.

_____(SEAL)
 Notary Public, State of _____
 My commission expires _____

CERTIFIED SURVEY MAP NO. _____

A division of Parcels 1 and 2 in Certified Survey Map No. 379, being a part of the Southwest 1/4 of the Southeast 1/4 of Section 8, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

OWNER'S CERTIFICATE

As owners, CITY OF OAK CREEK, hereby certify that we have caused the land described on this map, to be surveyed, divided, dedicated and mapped as represented on this Certified Survey Map in accordance with the requirements of Chapter 236 of the Wisconsin Statutes and Chapter 14 of the City of Oak Creek Municipal Code

CITY OF OAK CREEK, as owners, does further certify that this map is required by S.236.10 or 236.12 to be submitted to the following for approval or objection: City of Oak Creek

CITY OF OAK CREEK

STATE OF WISCONSIN }
 }SS
MILWAUKEE COUNTY }

PERSONALLY came before me this _____ day of _____, 2016, the above named _____, of _____, to me known to be the person who executed the foregoing instrument.

_____(SEAL)
Notary Public, State of Wisconsin

My commission expires _____

PLANNING COMMISSION OF APPROVAL

Certified Survey Map accepted by the Planning Commission of the City of Oak Creek on this _____ day of _____, 2016.

MAYOR STEPHEN SCAFFIDI, CHAIRMAN

DOUGLAS SEYMOUR, SECRETARY

COMMON COUNCIL APPROVAL

Certified Survey Map approved by the Common Council of the City of Oak Creek and dedication accepted on this _____ day of _____, 2016, by Resolution No. _____.

STEPHEN SCAFFIDI, MAYOR

CATHERINE ROESKE, CITY CLERK



Plan Commission Report

ITEM: 4d
POSTPONED
DATE: February 23, 2016
TO MARCH

PROJECT: Conditional Use Permit Ammendment – Classic Lanes (Gary Daroszewski)

ADDRESS: 7501 S. Howell Avenue

TAX KEY NO: 782-9036

STAFF RECOMMENDATION: That the Plan Commission not recommend approval to the Common Council for the conditional use amendment by Classic Lanes for the property at 7501 S. Howell Avenue to reduce the minimum setback for recreational facilities from ten feet to zero feet.

Ownership: Classic Lanes OC LLC

Size: 5.45 acres

Existing Zoning: B-4 CU, Highway Business District Conditionsl Use

Adjacent Zoning: North – B-3, Office & Professional Business
East – B-4/M-1 PUD, Highway Business & Manufacturing, I-1, Institutional, Rd-1, Two-Family Residential
South – M-1 CU, Manufacturing Conditional Use
West – M-1 CU, Manufacturing Conditional Use

Comprehensive Plan: Planned Mixed Use.

Wetlands: No

Floodplain: No

Official Map: None

Commentary: The applicant is requesting an amendment to Section 5. Building Setbacks of the existing conditional use permit reducing the rear setback for recreation facilities from ten feet to zero feet. As part of this process, staff has updated sections of code referenced in the old permit to reflect existing code sections. For example, in Section 2A, the document referenced permitted uses in the B-3 District. Currently, the property is zoned B-4 and the amended conditions and restrictions reflect this change. Another example is Section 4A which references parking requirements. It now references the correct code section.

This amendment request is in response to a complaint last year regarding the expansion of the volleyball court area reducing the setback to zero feet. The business owner constructed a wood retaining wall at the lot line, filled the area with sand, and installed an additional volleyball court. Staff observed a drainage pipe extending from the wood retaining wall to the lot line.

Staff has concerns regarding the expansion of the volleyball court area. Prior to the expansion there existed a swale that provided a path for stormwater to drain away from the property and the

POSTPONED TO MARCH

property to the west. The expansion of the volleyball courts pushed the swale onto the adjacent property.

Another concern staff has is the wood retaining wall used to retain the sand. This structure is inadequate to prevent sand from eroding and being deposited on the adjacent property. Staff believes this will eventually result in additional stormwater nuisance drainage issues for the neighboring property. To eliminate the concern of sand erosion and nuisance drainage issues, the wood retaining wall should be replaced with a concrete or modular block wall with a drainage system connecting to the storm sewer to Marquette Avenue.

If the conditional use permit is amended to reduce the setback to zero, the applicant will need to submit a new site plan for review and approval from the Plan Commission.

Prepared by:



Peter Wagner, AICP
Zoning Administrator/Planner

Respectfully Submitted by:



Douglas Seymour, AICP
Director of Community Development

POSTPONED TO MARCH



POSTPONED TO MARCH

City of Oak Creek – Conditional Use Permit
DRAFT Conditions and
Restrictions

Applicant:	Gary Daroszewski, Classic Lanes	Approved by Plan Commission: TBD
Property Addresses:	7501 S. Howell Avenue	Approved by Common Council: TBD
Tax Key Numbers:	782-9036	(Ord. #TBD)
Conditional Use:	Outdoor Recreation Facilities	

1. LEGAL DESCRIPTION

That part of the northeast ¼ and southeast ¼ of Section 8, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin, bounded and describes as follows:

Commencing at the southeast corner of the northeast ¼ Section 8, which is also the northeast corner of the southeast ¼ of Section 8, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin thence N 00° 30' 28" E on and along the east line of said northeast ¼ Section 8, 169.41 feet to a point thence N 89° 03' 43" W and parallel with the south line of said northeast ¼ and being the south line of proposed Marquette Avenue, 550.00 feet to a point thence S 00° 32' 40" W, 169.41 feet to a point on the south line of said northeast ¼ Section 8 thence continuing S 00° 32' 40" W and into the southeast ¼ Section 8, 82.67 feet to a point thence S 00° 37' 10" W and parallel with the east line of the southeast ¼ of Section 8, 247.98 feet to a point thence S 89° 04' 10" E 550.00 feet to a point on the east line of said south east ¼ Section 8; thence N 00° 37' 10" E on and along the east line of said southeast ¼ Section 8, 330.59 feet to the point of commencement, excepting there from the east 75 feet for street.

2. PERMITTED USES

Operations on the site insofar as uses are concerned shall be subject to prior approval of the Plan Commission; except that the following uses shall be permitted without prior approval of the Plan Commission, to wit:

- A. All uses listed as permitted uses in **the B-4 Highway Business District.**
- B. Outdoor recreation facilities such as volleyball courts, swimming pools, basketball courts, racquetball courts, running/jogging trails, horseshoe pits and baseball diamonds.
- C. Accessory uses, usual and customary to the above permitted uses including, but not limited to, a concession stand for the sale of food and beverages.

3. REQUIRED PLANS, EASEMENTS AND AGREEMENTS

- A. Prior to the issuance of any building permits for new buildings or additions or for occupancy permits, a precise site plan shall be submitted to, and approved by, the Plan Commission. This plan shall show and describe the following:
 - a. Detailed building locations, shapes and dimensions.
 - b. Proposed building elevations.
 - c. Off-street parking arrangements.
 - d. Proposed utility services.
 - e. Proposed floor plan and construction materials.

POSTPONED TO MARCH

- f. Areas proposed for hard surfacing.
- g. Proposed areas for landscaping.
- h. Outdoor lighting facilities.
- i. Proposed use areas.

- B. A site grading and drainage plan shall be submitted for approval to the City Engineer. The City Engineer's approval must be received prior to the issuance of any building or occupancy permits where such a plan is required.
- C. Plans and specification for necessary public improvements within developed areas (e.g. sanitary sewer, water main, storm sewer, etc.) shall be subject to approval by the City Engineer.
- D. Public easements for telephone, electric power, sanitary sewer, storm sewer and water main shall be granted when required in accordance with detailed utility system plans approved by the City Engineer. Said easements shall be maintained free and clear of any buildings, structures, trees or accessory outdoor appurtenances. Shrubbery type plantings shall be permitted provided there is access to each of the aforementioned systems and their appurtenances.
- E. If required by the Common Council, a development agreement shall be completed between the owner and the City prior to the issuance of a building or occupancy permit, so as to ensure the construction or installation of public improvements required in these conditions and restrictions, and Chapter 18 of the Municipal Code.

4. PARKING STANDARDS

The following standards shall apply in all common parking area:

- A. All parking areas shall comply with the provisions of **Chapter 17.0403** of the Oak Creek Municipal Code and other provisions contained within.
- B. All parking and driveway areas shall be set paved with either asphaltic concrete or Portland cement concrete, within one (1) year of occupancy.
- C. There shall be no parking, fences or buildings of any kind within the 25-foot front setback area or side setback area abutting a street.
- D. Should the number of off-street parking spaces provided by the owner prove to be inadequate, the Commission shall have the authority to require the installation of additional off-street spaces. There shall be no parking associated with this use along South Howell Avenue or any other public street.

5. LIGHTING AND LANDSCAPING

- A. If the property is to have outdoor evening recreational activities, provisions shall be made for adequate outdoor lighting of access drives and parking areas. No light or glare shall be allowed to shine beyond the property's boundaries.
- B. An effective visual screen and landscaped/grassed areas shall be established along the developed portions of the north line of this property that contain parking areas and/or other land uses the Plan Commission feels are in need of screening. Where required, this screening shall consist of one or a combination of the following:
 - a. A six (6) foot grassed berm or:
 - b. A smaller grassed berm with evergreens planted on top is permitted provide that the combined

POSTPONED TO MARCH

berm and plantings are at least six (6) feet in height or:

- c. A six (6) foot high fence that cannot be seen through (i.e. opaque), or:
 - d. Evergreen type trees planted at a maximum spacing of ten (10) feet on center shall obtain a minimum height of six (6) feet within three (3) years of planting, or:
 - e. An acceptable combination of (a), (b), (c), (d).
- C. The entire front area shall be graded and sodded or seeded between the side lot lines and between the front lot line and the front of the principal building, except where parking or other uses are located. Should parking be developed in this front area, screening as described in 4B above shall be provided, if required by the Plan Commission.
- D. All grass, trees and shrubbery must be maintained at all time. Grass must be cut whenever necessary, or the City may serve notice to perform needed work. Implementation of the landscaping requirements, including screening where required, are to take place at the time building, parking areas or other developed land uses are constructed. This requirement can be staged as portion of the site are developed.

6. BUILDING SETBACKS

The following are the minimum building setback requirements for principal and accessory buildings and outdoor recreation facilities:

BUILDINGS		RECREATION FACILITIES
Front	25 feet	Not Permitted
Rear	20 feet	Zero (0) feet
Side (North)	25 feet	25 feet
Side (South)	20 feet	10 feet

7. SIGNS

All signs shall comply with **Section 17.0706** of the Oak Creek Municipal Code and other applicable regulations.

8. HOURS OF OPERATION

All outdoor music and recreation activities shall cease at 11:00 p.m. and concession stands for the sale of food and beverages shall not remain open beyond 11:00 p.m.

9. **ACKNOWLEDGEMENT**

The approval and execution of these conditions and restrictions shall confirm acceptance of the terms and conditions hereof by the owner, and these conditions and restrictions shall run with the property unless revoked by the City, or terminated by mutual agreement of the City and the owner, and their subsidiaries, related entities, successors and assigns.

Owner / Authorized Representative Signature

Date

(please print name)

POSTPONED TO MARCH



161 W. MARQUETTE AVE.
OAK CREEK, WI. 53154

414-570-1993 phone
414-570-4383 fax

November 3rd 2015

To Whom it May Concern,

As of now, Classic Lanes Bowling has their volleyball court set up to the East of our parking lot. We do not have any issues or concerns with where the court sits along the lot line. If you have any questions, feel free to give me a call to discuss this matter.

Have a great day and enjoy the upcoming Holidays. Thank you.

Sincerely,

A handwritten signature in cursive script that reads 'Dave Mocco'.

Dave Mocco, President

D&L Auto Services, Inc.



Plan Commission Report

ITEM: 4e

DATE: February 23, 2016

PROJECT: Zoning Text Amendment – Exterior Lighting Ordinance Revision

STAFF RECOMMENDATION: That the Plan Commission recommends amending Section 17.0808 Outdoor Lighting, regulating exterior accent lighting and photometric plans, and including LED fixtures as a permitted lighting type.

Commentary: Staff has observed multiple businesses throughout the City adding exterior accent lighting to their buildings. Some businesses have installed LED lighting both outside and inside the building. Example locations include a building’s canopy, roof’s edge, or windows. The color of the lights vary. Most have chosen white LEDs, however, there are green and blue LEDs.

At this time the City doesn’t regulate this type of accent lighting. Staff is proposing to limit exterior accent lighting to white or clear lights that can only be installed horizontally on a building. The purpose for limiting the installation horizontally is to prevent businesses outlining the entire building in LED or other type of lighting. Included in your packet is the proposed ordinance.

Other proposed changes include adding LED fixtures as a permitted lighting type. When this section of code was written, LED lighting was not taken into consideration. This change would update the code to include LEDs as a permitted lighting type.

The last proposed change to this section of code pertains to how photometric plans are calculated. Whenever there is a proposed development, the applicant is required to submit a photometric plan showing how the site will be illuminated and show how the light levels do not exceed 0.5 foot candles at the lot lines. As the code is currently written, applicants can calculate illumination levels in a way that does not accurately reflect how brightly lit a site will be. Therefore, staff is proposing a change to the code that eliminates the possibility for an applicant to overlight a site.

Over the years, the City has made strides to attain the goal to improve the community’s character and vision. Amending this section of the code will provide business’s the opportunity to accent the building yet keep a consistency throughout the City and help maintain the overall character of the City.

Prepared by:

Peter Wagner
Zoning Administrator/Planner

Respectfully Submitted by:

Douglas Seymour, AICP
Director of Community Development

ORDINANCE NO. _____

BY: _____

AN ORDINANCE TO REPEAL AND RECREATE SECTIONS 17.0808(c)(1)c., 17.0808(c)(3), 17.0808(d)(6), 17.0808(e)(1)e. AND CREATING SECTION 17.0808(f) OF THE MUNICIPAL CODE REGARDING OUTDOOR LIGHTING

The Common Council of the City of Oak Creek does hereby ordain as follows:

SECTION 1: Section 17.0808(c)(1)c. of the Municipal Code is hereby repealed and recreated to read as follows:

- c. Any outdoor lighting fixture installed on a parking lot or parking structure shall use either high pressure sodium or metal halide lamps or LED fixtures, however new lighting technology may be used as a substitute for high-pressure sodium or metal halide lamps or LED fixtures, upon approval by the Inspection Department.

SECTION 2: Section 17.0808(c)(3) of the Municipal Code is hereby repealed and recreated to read as follows:

- (3) All outdoor lighting fixtures shall be maintained according to approval by the inspection division plans. New lighting technology may be used as a substitute for high-pressure sodium or metal halide lamps or LED fixtures, subject to approval by the Inspection Department.

SECTION 3: Section 17.0808(d)(6) of the Municipal Code is hereby repealed and recreated to read as follows:

- (6) The maximum illumination level under an outdoor canopy shall not exceed foot-candles at any point. This subsection does not apply to diesel and gasoline canopies of refueling islands.

SECTION 4: Section 17.0808(e)(1)e. of the Municipal Code is hereby created to read as follows:

- e. A point of zero (0) on the photometric data test report shall not be used in calculating illumination levels or uniformity.

SECTION 5: Section 17.0808(e)(1)f. of the Municipal Code is hereby created to read as follows:

- (f) **Architectural Element Lighting.** Architectural element lighting shall be clear or white in nature and shall not flash or strobe. Such lighting shall be uniform in spacing with lights no less than twelve (12) inches apart. Architectural element lighting may only be placed horizontally on one horizontal street-side of a building or structure, must consist of only one strand of lights and may not be placed vertically on corners or on windows or doors. Buildings that are located at the intersection of two streets or a street and an alley may have a string of lights on each street frontage. Each light source or lamp may not exceed 300 lumens. All architectural element lighting requires Plan Commission approval. The owner of the property affected by any such architectural element lighting shall cause any such lighting to be reasonably maintained such that such lighting is safe and tasteful, with any burned-out bulbs being replaced in a timely fashion.

SECTION 6: All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

SECTION 7: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced this 15th day of March 2016.

Passed and adopted this _____ day of _____, 2016.

President, Common Council

Approved this _____ day of _____, 2016.

ATTEST: _____ Mayor

City Clerk

VOTE: Ayes _____ Noes _____



Plan Commission Report

ITEM: 4f
DATE: February 23, 2016

PROJECT: Rezone – City of Oak Creek (Milwaukee County Parks Properties)

ADDRESSES: 709 & 725 E. Oak St.; 7312 S. 27th St.; 7951, 8067, 8210, 8245, 8290, 8310, 8351 S. 20th St.; 1741, 1901, 2211, 2305, 2319, and 2361 W. Drexel Ave.

TAX KEY NOS: 733-0017-000, 733-9999-000, 762-9008-000, 810-9016-000, 810-9024-000, 811-9018-002, 810-9014-000, 811-9018-003, 830-9021-000, 831-9033-000, 811-9024-000, 811-9991-002, 810-9992-001, 810-9017-000, 810-9020-000, 810-9022-000

STAFF RECOMMENDATION: That the Plan Commission recommends to the Common Council that the properties at 709 & 725 E. Oak St.; 7312 S. 27th St.; 7951, 8067, 8210, 8245, 8290, 8310, 8351 S. 20th St.; 1741, 1901, 2211, 2305, 2319, and 2361 W. Drexel Ave. be rezoned outside of FW, Floodway Districts and not affecting any overlay districts to P-1, Park District, after a public hearing.

Ownership: Milwaukee County

Size: Multiple

Existing Zoning:

Address	Tax Key	Current Zoning
725 E. Oak St.	733-9999-000	M-1, Manufacturing
709 E. Oak St.	733-0017-000	M-1, Manufacturing
7312 S. 27 th St.	762-9008-000	P-1, Park District; FW, Floodway; Rs-1, Single Family Residential
8245 S. 20 th St.	810-9014-000	A-1, Limited Ag.; FW, Floodway; FF, Flood Fringe
2305 W. Drexel Ave.	810-9017-000	Rs-2, Single Family Residential; FF, Flood Fringe
7951 S. 20 th St.	810-9016-000	C-1, Shoreland Wetland Conservancy; FW, Floodway; Rs-2, Single Family Residential; FF, Flood Fringe
2319 W. Drexel Ave.	810-9020-000	Rs-2, Single Family Residential
2361 W. Drexel Ave.	810-9022-000	Rs-2, Single Family Residential
8067 S. 20 th St.	810-9024-000	Rs-2, Single Family Residential
2211 W. Drexel Ave.	810-9992-001	Rs-2, Single Family Residential; FW, Floodway; FF, Flood Fringe
8210 S. 20 th St.	811-9018-002	Rs-2, Single Family Residential; FW, Floodway; FF, Flood Fringe
8290 S. 20 th St.	811-9018-003	Rs-2, Single Family Residential
1741 W. Drexel Ave.	811-9024-000	A-1, Limited Ag.; FW, Floodway; FF, Flood Fringe
1901 W. Drexel Ave.	811-9991-002	A-1, Limited Ag.; FW, Floodway; FF, Flood Fringe
8310 S. 20 th St.	830-9021-000	Rs-2, Single Family Residential
8351 S. 20 th St.	831-9033-000	Rm-1 (PUD/CU), Multifamily Residential; Rs-2, Single Family Residential

Adjacent Zoning: See maps.

Comprehensive Plan: Air Transportation and Resource Protection Area.

Wetlands: Yes, see maps.

Floodplain: Yes, see maps.

Official Map: N/A.

Commentary: The City of Oak Creek is requesting that the County-owned parcels for the Runway Dog Exercise Area and Falk Park be rezoned to P-1, Park District. Only those portions of the parcels outside of the FW, Floodway District will be rezoned, and no overlay districts (e.g., C-1, Shoreland Wetland Conservancy, FF, Flood Fringe, etc.) will be amended by the proposed change. Staff recommends approval.

Prepared by:



Kari Papelbon, CFM, AICP
Planner

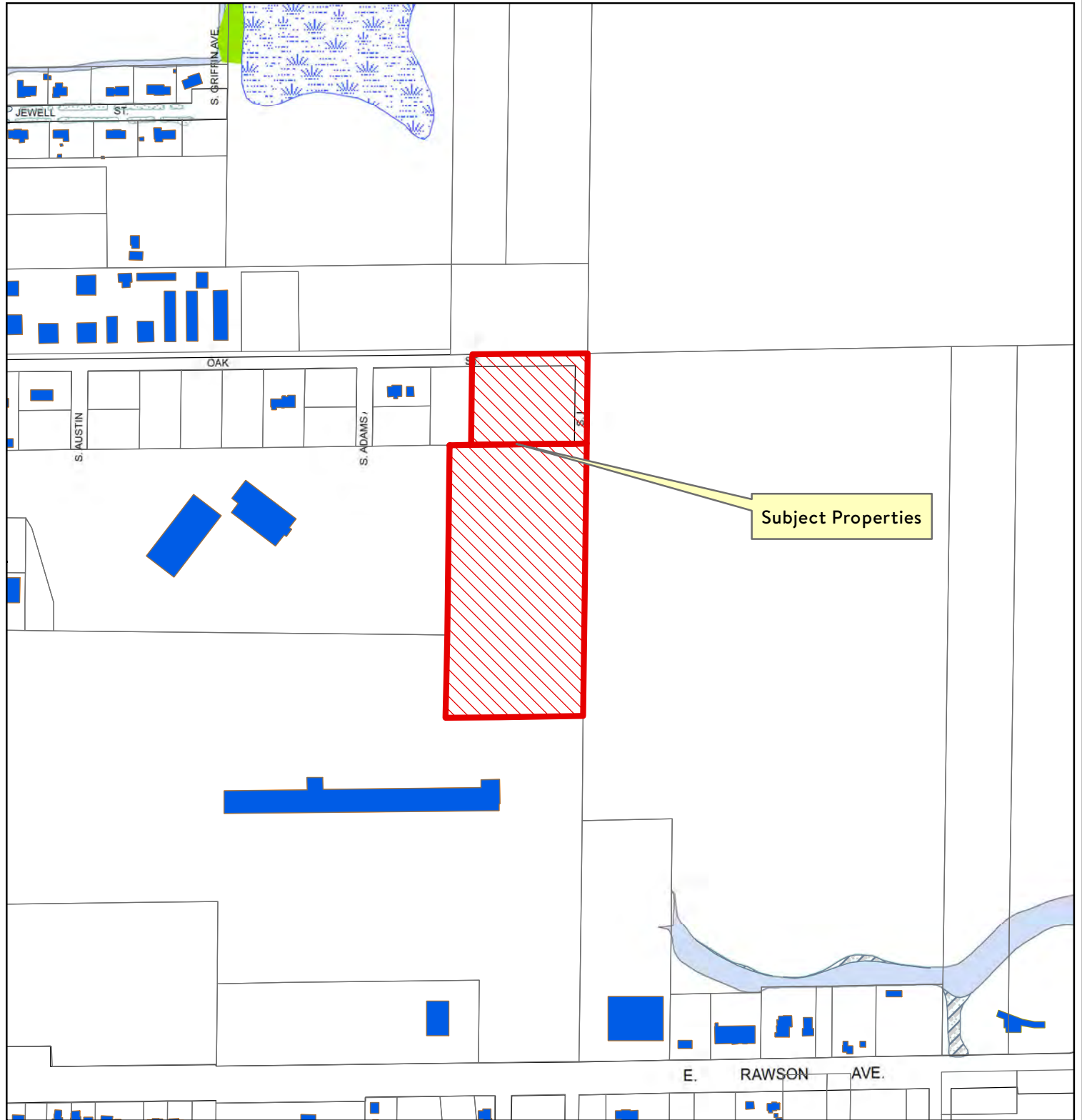
Respectfully Submitted by:



Douglas Seymour, AICP
Director of Community Development

Location Map

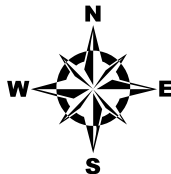
709 & 725 E. Oak St.



This map is not a survey of the actual boundary of any property this map depicts.



Department of Community Development

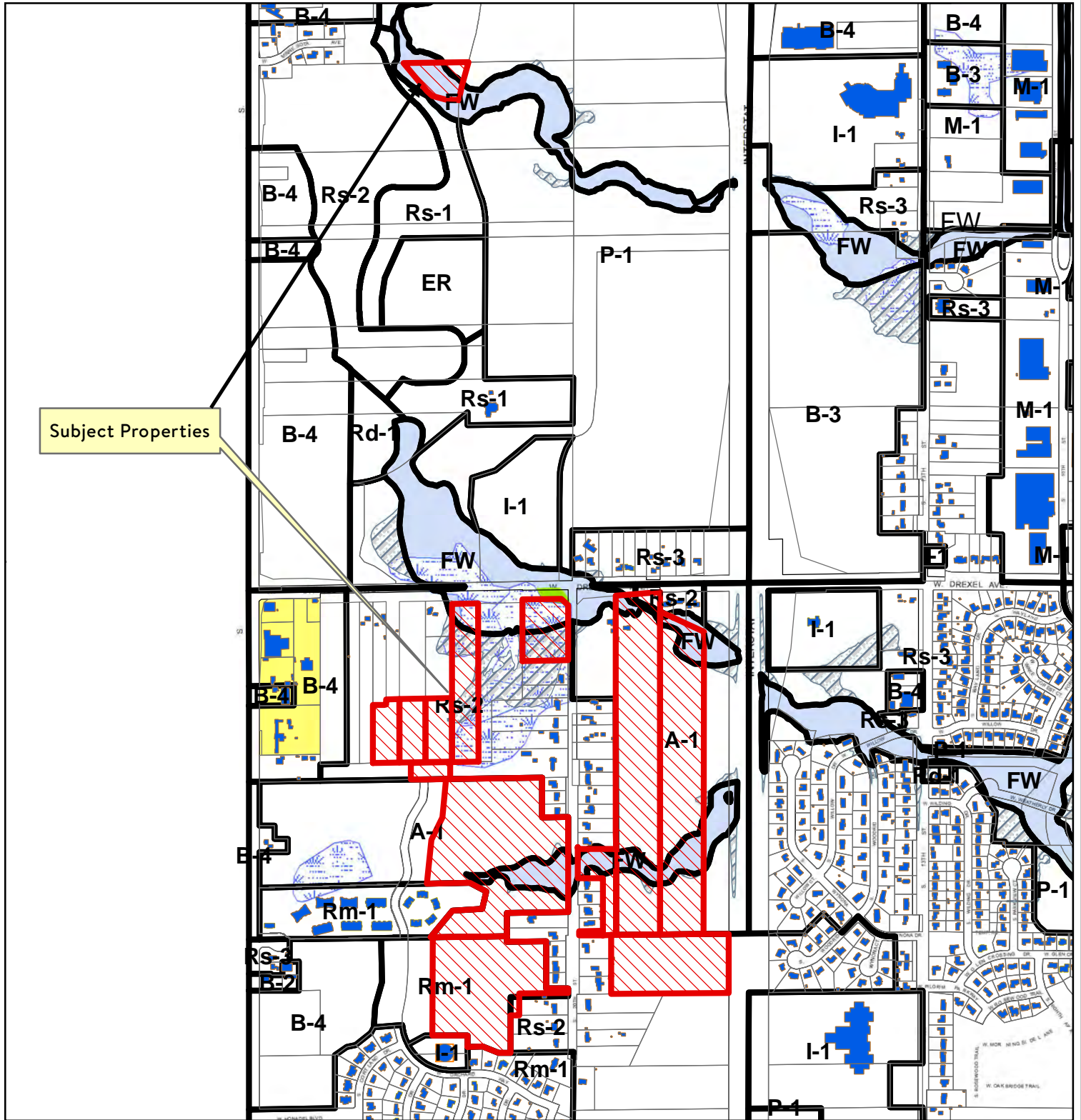


Legend

- | | | | |
|--|-----------------------|--|---------------------------------------|
| | Parcels to be Rezoned | | Shoreland Wetland Conservancy (C-1) |
| | Wetland | | Lakefront Overlay District (LOD) |
| | Floodfringe | | Mixed Use Neighborhood Overlay (NO) |
| | Floodway (FW) | | Mixed Use Office Overlay (OO) |
| | Flood Fringe (FF) | | Regional Retail Overlay District (RR) |

Location Map

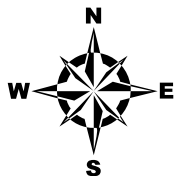
7312 S. 27th St.; 7951, 8067, 8210, 8245, 8290, 8310, 8351 S. 20th St.
 1741, 1901, 2305, 2319, 2361 W. Drexel Ave.



This map is not a survey of the actual boundary of any property this map depicts.



Department of Community Development



Legend

- Parcels to be Rezoned
- Floodway (FW)
- Wetland
- Flood Fringe (FF)
- Floodfringe
- Shoreland Wetland Conservancy (C-1)
- Laketract Overlay District (LOD)
- Mixed Use Neighborhood Overlay (NO)
- Mixed Use Office Overlay (OO)
- Regional Retail Overlay District (RR)